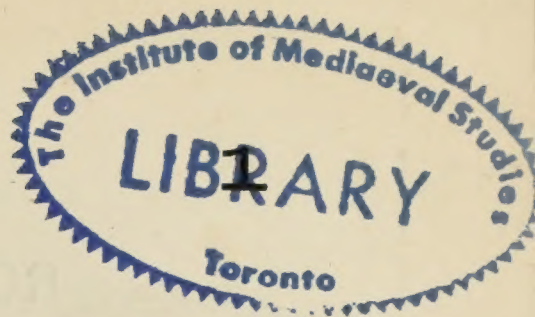




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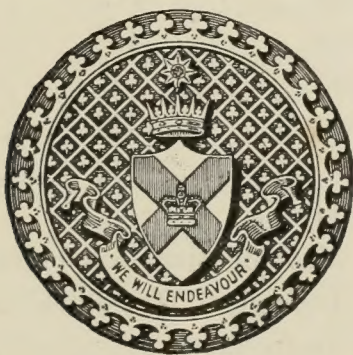
OF THE

ROYAL IRISH ACADEMY

VOLUME XXXV, SECTION C, No. 1

CONSTANCE MARY BUTLER AND JOHN HENRY BERNARD

THE CHARTERS OF THE ABBEY OF DUISKE



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PROCEEDINGS

OF THE

ROYAL IRISH ACADEMY

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„	XXXIII. (1916-17)		
„	XXXIV. (Current Volume.)		
„	XXXV.		

PROCEEDINGS

OF

THE ROYAL IRISH ACADEMY

PAPERS READ BEFORE THE ACADEMY

I.

THE CHARTERS OF THE CISTERCIAN ABBEY OF DUISKE IN THE COUNTY OF KILKENNY.

TRANSCRIBED BY

CONSTANCE MARY BUTLER,

AND EDITED BY

JOHN HENRY BERNARD, D.D., D.C.L.,
Archbishop of Dublin.

[Read NOVEMBER 12, 1917. Published JULY 26, 1918.]

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I.—PREFACE.

THE Charters which are printed for the first time in this volume are preserved among the muniments of the Marquess of Ormonde in the Evidence Room of Kilkenny Castle. They were selected from that great collection of mediaeval documents, and transcribed by Lady Constance Butler in the years 1913 and 1914. The task of transcription presented serious difficulties, as many of the deeds are faded and worn; and great patience, as well as keen eyesight, was needed. I was able to render some assistance, and Dr. H. F. Berry, I.S.O., kindly read through a first draft of the transcript; but the credit of the work is due to Lady Constance Butler.

These Charters constitute a very full record of the growth of the great Cistercian Abbey of Duiske, or Graiguenamanagh, in the county of Kilkenny, during the first hundred years of its existence; and they also provide some

information as to its fortunes during the fourteenth and fifteenth centuries. I have endeavoured to place the documents in chronological order; but as in many cases the date has to be deduced from the names of the witnesses, it is not always possible to be precise. It has seemed worth while to add some notes as to the Anglo-Norman barons and their retainers who appear in the Charters, as many of their descendants are still to be found in the South of Ireland. Not much is known about the monastery of Duiske, except what these Charters reveal; but I have supplied in my commentary any details that can be learnt from Clyn's Annals, or (for the later period) from the State Papers. It is the hope of Lady Constance Butler and myself that the material here collected may be serviceable to students of Irish history.

We desire to thank Mr. Goddard Orpen for some valuable notes, and Mr. Manning Robertson, A.R.I.B.A., for the map which he kindly drew for the purposes of this memoir. Dr. Carrigan has been good enough to annotate the Terrier of the lands of Tulachany (no. 107); and Mr. E. C. R. Armstrong has given kind help in connexion with the seals attached to the Charters. We are also under obligation to the President and Council of the Royal Society of Antiquaries of Ireland for permission to reprint the plan of the abbey ruins, and the careful note upon them, published in their *Journal* by the late Dr. Robert Cochrane.

II.—ABBREVIATED TITLES USED IN THE NOTES.

- C. D. I. . . . Calendar of Documents relating to Ireland (5 vols.), edited by Sweetman.
- C. M. A. . . . Chartularies of St. Mary's Abbey, Dublin (2 vols.), ed. J. T. Gilbert (1884).
- Carrigan. . . . History and Antiquities of the Diocese of Ossory (4 vols.), by W. Carrigan, D.D. (1905).
- Chartae*. . . . Chartae, Privilegia et Immunitates, &c., printed by the Irish Record Commission (1889).
- D. N. B. . . . Dictionary of National Biography.
- E. Extracts from the Registers of Duiske Abbey, contained in the ms. E. 3. 10 (578), Trinity College, Dublin.
- F. Extracts from the same Registers, contained in the ms. F. 4. 23 (654), Trinity College, Dublin.
- L. Extracts from the same Registers, contained in the ms. Lansdowne 418, British Museum.
- R. S. A. I. . . . Royal Society of Antiquaries of Ireland.
- R. T. A. . . . Register of St. Thomas' Abbey, Dublin, ed. J. T. Gilbert (1889).

III.—INTRODUCTION.

The Cistercian modification of the Benedictine Rule is due to an Englishman, St. Stephen Harding, the parent house of Cîteaux or Cistercium, near Dijon in Burgundy, having been established for Benedictines in 1098 by St. Robert of Molesme. The Cistercian Rule took shape in 1107; and, like that of the Cluniacs, although in different fashion, it was a departure from the Rule of St. Benedict, in so far as it aimed at the close organization of the communities which adopted it. A main feature of the unreformed Benedictine system was the independence of each monastic house; but the Cistercians became an Order in the strict sense, under the pre-eminence of the abbot and convent of Cîteaux, and claiming exemption from the authority of the local bishops. All Cistercian houses were administered in the same manner, and the superiors were under obligation to attend yearly chapters, each convent being moreover subject to visitations at the pleasure of the Abbot of Cîteaux. The four abbeys of La Ferté,¹ Pontigny,² Clairvaux,³ and Morimond were accorded a position of special dignity, and were regarded as peculiarly the “daughters of Cîteaux.” They were, in fact, the oldest of its daughter-houses.

The Cistercian Rule was one of great austerity. The members of the order wore neither linen nor furs, and from their dress of undyed wool were often called the “White Monks.” They lived on a vegetable diet, animal food being forbidden in their establishments. As with the Benedictines, it was enjoined by the Rule that the abbeys should be so located as to contain within their precincts water-courses, mills, and gardens, so that they were independent of supplies from without. It was often remarked in later times that the habit of the Cistercians was to build their houses in valleys, as the Benedictines did on hill-tops.⁴

The system spread rapidly, the first English house being established in 1129 at Waverley in Surrey. The formal introduction of the order into Ireland is due to St. Malachy of Armagh, who was the intimate friend of St. Bernard, the famous abbot of Clairvaux (d. 1153). St. Malachy had noticed with admiration the methods of the Cistercians at Clairvaux, and he sent some Irish monks there to study its peculiarities and advantages. The letters

¹ In the diocese of Châlons in Burgundy.

² About 12 miles from Autun, in the diocese of Auxerre. It was here that Thomas Becket found asylum.

³ This abbey, and that of Morimond, were in the diocese of Langres, and were founded in the same year, 1115. St. Bernard was the first abbot of Clairvaux.

⁴ Cf. the old verse:

Bernardus valles, colles Benedictus amabat,
Oppida Franciscus, magnas Ignatius urbes.

from St. Bernard to St. Malachy on the subject are numbered 315, 316, 317 in the *Epistolae* of the former.¹ As a consequence of this movement, the Abbey of Mellifont, near Drogheda, was founded about the year 1142. Mellifont had many "daughters," among them Bective in Meath, and Baltin-glass in co. Wicklow, which in its turn was the "mother" of Jerpoint in co. Kilkenny; and the Cistercian houses grew and multiplied in Ireland during the latter half of the twelfth century, some twenty-five convents of the order being in existence by the year 1200. St. Mary's Abbey, Dublin, had been affiliated to the Cistercian house of Savigny in Normandy as far back as 1139, a date prior to the foundation of Mellifont. Most of the Irish Cistercian houses, however, were founded by the Anglo-Norman adventurers who came over to Ireland in the train of Strongbow and his successors after 1172; the lavish grants of lands made to them by their founders being acts of piety or of reparation, after the manner of the age. Thus Dunbrody² in co. Wexford was founded from Buildwas in Shropshire by Hervey de Montmorency; and Tintern founded by William Earl Marshal in the same county derived its name from the more famous Tintern in Monmouthshire. We are here concerned more particularly with the Abbey of Duiske, now Graiguenamanagh, in co. Kilkenny, which was founded from the Abbey of Stanley in Wiltshire by William Earl Marshal about 1204.

IV.—THE CHARTERS OF KILLENNY.

To exhibit the history of Duiske Abbey, we must begin with some documents which concern Jerpoint and Killenny, two Cistercian houses in co. Kilkenny, whose relations with Duiske form the subject of many subsequent charters.

The abbey of Jerpoint, whose splendid ruins testify to its former greatness, was founded from the abbey of Mellifont in the latter half of the twelfth century. The date of its foundation, as we shall see, must have been some years prior to 1165, although it has been put as late as 1180.³ It was a flourishing convent, and Dermot O'Ryan, Chief of Idrone, granted to it certain lands for the purpose of establishing and endowing a daughter house at Killenny, which was in his territory. His Charter is not extant, although we have preserved a *précis* of an Inspecimus and Confirmation of it by one of

¹ They are reprinted in Ussher's "*Sylloge*" (*Works* iv. 535 ff.).

² Dunbrody was subsequently affiliated to St. Mary's, Dublin, and the Charters of both houses have been published in Sir J. T. Gilbert's *Chartularies of St. Mary's Abbey* (1884) (CMA).

³ By Sir James Ware in his *Cænobia Cistercensia Hibernica* (cf. CMA ii, 217, 218). The date of its foundation is discussed by Carrigan, iv, 281 ff.

his descendants, two and a half centuries later.¹ But we have a Confirmation of it granted by Dermot MacMurrough, King of Leinster, whose liegeman O'Ryan was, and with this we begin:—

i.

Confirmation by Dermot MacMurrough, King of Leinster, of a grant of lands made by his liegeman Dermot O'Ryan to the convent of Jerpoint, for the purpose of establishing a daughter house of the Cistercian Order at Killenny.

Dated at Gowran.

Uniuersis Sancte Matris Ecclesie filiis archiepiscopis episcopis abbatibus presbiteris regibus ducibus conitibus et omnibus tam laicis quam clericis in Christo fidelibus Diarmetius nutu dei rex Lagnensium salutem et pacis spiritum.

Notum facimus presentibus et posteris quod nos terram quam Diarmait Uarrian dux Uanronai per nostram licentiam in remissionem peccatorum suorum Felici abbati de Ossarge et omni eiusdem loci conuentui ad monasterium in honore beatissime Dei genetricis semperque uirginis Marie sanctique Benedicti abbatis tradidit construendum, confirmamus manutenemus et nostri sigilli confirmatione munimus.

Hec igitur est terra monachis iure perpetuo tradita, Duninni, Ceall Mochomoc, Muleann Morain, Ardsemdilli, Bale O'Chianugain, Rath Inphoboil, Breslach, Ceall Nisi, Bale meic Marcaig, Druim ro, Bale meic Laurada, Bale Ogaillin, Baile Omaille, Leis Meic Mellelua, cum omnibus suis pertinentiis† in aquis in pascuis in siluis.

Nam Ceall Lanne, cum omnibus adhuc suis pertinentiis, scilicet Raith Membram et Ardpetram, tam in fluminibus quam in pratis et nemoribus, Donatus, uenerabilis Lethglennensis episcopus, ad grangiam faciendam, sicut melius de nobis habuit perpetualiter, cum nostra licentia, prefatis monachis quibus de sua parrochia in sui presentia, predicta terra, scilicet Dunnini etcetera, fuit data, tradidit.

Interdicimus ergo ne aliquis hominum de prefatis terris ausu temerario ab eisdem monachis et eorum in perpetuum successoribus nec passum pedum auferre, nec uiolentiam monasterio, si ibi fuit, uel eius grangiis, si habuit, inferre, aut ignem apponere, siue aliquid ab eis furtim abstrahere presumat; sed omnia in pace ecclesie integre et illibata dimittere.

Quia siquis contra nos in dei ecclesiam manum forefaciendo audacter porrexerit, res suas si habuerit, uitam si non, irreuocabiler perdet.

Datum apud Belachgaurain.

Teste, Laurentio Dubliniensi archiepiscopo; Donato Lethglennensi episcopo; Felice abbate de Ossarge; Murchad filio Murchada; Murcherdach

¹ See p. 139.

filio eius; Domnallo Caimanach; Diarmait Uarrian; Padin Uaheda; Murchad Uabrain; Dalbach eiusdem filio; et Uonnucuan Ua Diarmada; et Amleib Mac Cotaltain.

From this instrument (of which there are two summaries in the Extracts from the Duiske Registers which we call E) the seal has disappeared.¹ Its date can be fixed with some precision, as we know something of nearly all the persons mentioned, and we shall find that it must be placed between 1162 and 1165.

Dermot MacMurrough, King of Leinster, died in 1171.

Dermot O'Ryan (Diarmait Uarrian), Chief of *Idrone* (Uanronai), a liegeman of King Dermot, was slain in 1171.² *Idrone* is now a barony in co. Carlow, but at this time included that part of the dioceses of Kildare and Leighlin which is to the west of the river Barrow. *Killenny* (Ceall Lainne) was in the O'Ryan country, in the townland of Old Abbey, now Barrowmount, in the civil parish of Grange Silvae³ and the diocese of Leighlin. No remains of the abbey buildings can now be traced, but they were probably of no great magnitude or consequence at any time.

Only a few of the lands granted by Dermot O'Ryan for the purpose of the new monastery can be identified. *Dun inni* is Doninga, a townland in the parish of Grange Silvae; *Druim ro* is now Mount Loftus in the parish of Powerstown.

The first witness to the Charter, *Laurence*, archbishop of *Dublin*, was the famous St. Laurence O'Toole (1162–1180). He was King Dermot's brother-in-law, which accounts for his presence.

Donat, bishop of *Leighlin*, the date of whose accession is uncertain, but probably prior to 1152, died in 1181. Inasmuch as Killenny was situated in the diocese of Leighlin, the attestation of the bishop of that diocese was specially desirable.

Felix, abbot of *Ossory*, is Felix O'Dullany, who was the first abbot of Jerpoint, before he became bishop of Ossory in 1178. He died in 1202, and was buried at Jerpoint Abbey, where his altar-tomb, with his effigy in relief, is still to be seen.

Murchad filius Murchada, i.e. Murrough mac Murrough, was King Dermot's brother; his son *Muirchertach* died in 1193.

Domnall Caemanach, i.e. Donnell Kavanagh, was King Dermot's illegitimate son. He was brought up at Kilcavan, near Gorey (*Cill-Caemhain*), and hence was surnamed *Caemhan-ach* or Kavanagh. He is the eponymous ancestor of the Clan Kavanagh. He was killed, according to the *Annals of Ulster*, in 1175.

Paidin Uaheda, or O'Hea, who is described in the *Annals of Ulster* as "the candle of all O'Kinselagh," is said by the same authority to have been killed in 1165.

¹ This charter has been reproduced in Gilbert's *Facsimiles of National Manuscripts of Ireland* (Pt. II, plate lxiii), but the editor, by the unfortunate insertion in his printed text of the name *Duiske* after 'monasterio,' in l. 24, instead of the words 'si ibi fuit,' was lead to misinterpret it as the Foundation Charter of Duiske Abbey. This is a mistake which has been reproduced in many books. As we shall see, the abbey of Duiske was not founded for nearly forty years after the date of this charter, in which the name 'Duiske' or 'Graigue na managh' does not occur.

² Orpen, *Ireland under the Normans*, i, 231.

³ The exact position of Killenny was first determined by Carrigan (iv, 279).

Murcdad Uabrain, or Murrough O'Brien, Chief of the Duffry (a district between Enniscorthy and the Blackstairs mountain), and his son *Dalbach*, were beheaded by Strongbow in 1171.¹

It is thus plain that the Charter must have been executed between 1162, the year of Archbishop Laurence's consecration, and 1165, the year of Paidin O'Hea's death.

We have in the Extracts from the Duiske Registers (E) a *précis* of this instrument, in which the names of some additional witnesses are given. To be precise, we find in (E), first, a *précis*, headed "Charta de Kyllyny," with the witnesses as set out in the original deed, which is printed above. This is followed by a Confirmation of it executed in the year 1424 (see p. 139, below); and then comes a second *précis*, headed "Confirmatio regis Lagenie de Bentraye," with an ill-spelt list of witnesses as follows:—

"Laurentio archiepiscopo Dublin. ; Donato Lechglen. episc. ; Felice abbate de Ossarge ; Murchad filio Murchada, regis Dermitii germano ; Murchertach filio eius ; Donaldò Caemanach ; Padyn Huaeda ; Murchad Huabroyn ; Dalbach eiusdem filio ; Dullayng Huanuallā ; Diarmayd Huaryā ; Ainlayb mac Collatain ; Kekach Huacoscrayg ; Kerill mac Gillananac ; Domnall Ruad̄ ; Gillapadrayg Huainacada ; Donchad Huainedāyg ; Diarmaid Huafiachain ; Dullayng mac Legussa ; Florentio regis notario."

Eleven of these names are given in the Charter which has been printed above, but there can be little doubt that the additional persons named in this *précis* were also present, and that two copies (both original) of this important Instrument were preserved among the archives of Duiske. The last-named witness, "Florence, the King's notary," is, no doubt, the same scribe as the Florence who attested King Dermot mac Murrough's foundation Charter of the Augustinian Abbey of Ferns about 1158.²

The spelling of the Irish names is so corrupt in this *précis* that they are hard to identify. I am indebted to Mr. Goddard Orpen for the acute and learned suggestions as to the identity of these chieftains, which are here offered.

Dullayng Hua Nuallā was probably Dunlang O'Nolan (Ua Nualláin). The O'Nolans were chiefs of the territory known as Fotharta Fea, now the barony of Forth, co. Carlow; and two men called Dunlang appear at this period in the pedigree of these chiefs in the *Book of Leinster*.³

Ainlayb mac Collatain may be a corrupt form of Amlaf mac Uallacain, a name which has been anglicized 'Coolahan.'

Kekach Huacoscrayg is too corrupt to emend. But O'Coscraigh was a chief in co. Wicklow.⁴

Kerill mac Gillananac may be for 'Cerball mac Gillanameach,' i.e. Carroll son of Gilla-na-n-each, or Servant of the Horses.

Domnall Ruad and *Gillapatraic* are given in a pedigree headed 'Hua Murchada' in the *Book of Leinster*⁵ as the two sons of Donnchad. Thus we

¹ Orpen, *Ireland under the Normans*, i. 237.

² See Hore's *Ferns*, p. 181.

³ *Facsimile*, p. 337. ⁴ *Topographical Poems*, pp. 75-89. ⁵ *Facsimile*, p. 337, col. ii.

must suppose Huamacada in the *précis* to be a corruption of Hua murchada, or O'Morchoe.

Donchad Huainēdayg perhaps represents Donchad Hua-Cinnedigh or O'Kennedy.

Diarmaid Huafiachain was probably Diarmaid Hua Riachain (O'Regan). Maurice Regan was the name of King Dermot's secretary.

Dullayng mac Legussa may stand for 'Dunlang mac Laigsigh.' The 'Laigsi' were the men of Leix, and 'mac Laigsigh' is probably a mere patronymic.

Our next reference to the Abbey of Killenny is found in an entry in the Extracts from the Register of Duiske (E) :

" Bulla confirmat terram et priuilegium monasterii Sanctae Mariae Vallis Dei instituti Cisterc: per Lucium Papam. Dat. Veletri per manum Alberti Presb. Cardinalis et Cancellarii 15 Kal. Mart. Indict. 1, Incarnationis Dominice an. 1182, Pontificatus Lucii P. iii an. 2."

This Charter granted by Pope Lucius III to the monastery of Killenny or "Vallis Dei" is not now extant, but reference is made to it in no. ii.

In the same Extracts from the Register of Duiske (E, F, L) mention is made of a Charter given about the year 1200 by Miles fitz Bishop to the abbot¹ of Killenny, granting him the town of Techomichan. This Miles or Milo was the son of David Fitz Gerald, bishop of St. David's (who was the son of Gerald Fitz Walter, Constable of Pembroke, by Nesta, daughter of Rhys ap Tewdur, Prince of South Wales). Milo fitz Bishop or fitz David came to Ireland with the first band of Anglo-Normans in 1169, and Earl Richard de Clare (Strongbow) made him a grant of Overk in Ossory.² He appears as a witness to the Charter granted to the city of Kilkenny³ by William Marshal the Elder (Earl Richard's son-in-law), and also to the Charters nos. 3, 4, below.

His Charter to the abbot of Killenny, no longer extant, was witnessed by Felix, bishop of Ossory (1178-1202); Albin, bishop of Ferns (1186-1223); John, bishop of Leighlin (1198-1201), and Geoffrey, seneschal of Leinster.

¹ The *précis* in F has 'X^{no} Ab. de Valle Dei,' which has been read 'to the *tenth* abbot of de Valle Dei.' But it is unusual in grants to specify the place in the succession list of an abbot or prior, and it is probable that a proper name, such as *Christinus*, is concealed behind the contraction. There could hardly have been ten abbots before 1201.

² See Burtchaell, *The Geraldines of Co. Kilkenny*, Journal R.S.A.I., 1893, p. 179, and C.M.A. ii, 406.

³ *Chartae, Privilegia, &c.*, p. 33.

ii.

Protection granted by John of Salernum, Cardinal priest of St. Stephen in the Caelian Mountain, and Papal legate, to Thomas abbot of Killenny and his convent, confirming the monks in possession of their lands, and giving them freedom from tithes, the right of electing their abbot, and other privileges.

Dated at Dublin.

Johannes dei gratia tituli Sancti Stephani in Celio Monte, presbyter cardinalis, apostolice sedis legatus, dilectis filiis Thoma[†] abbati monasterii Sancte Marie de Valle Dei eiusque fratribus tam presentibus quam futuris regularem uitam professis in perpetuum.

Quos sanctitas religionis et humilitas atque incessabilis deuotio satis in conspectu Dei et hominum gratiosos et commendabiles facit existere, eos immerito sacrosancta Romana ecclesia specialiter diligit et intime caritatis brachiis feruenter amplectitur, et ab omnium uexationibus et iniuriis obnixe uult et mandat esse defensas.

Hinc est quod dilecti in domino filii, uestris iustis desideriis et dignis postulationibus libenter assensum prebemus, et iuxta domini pape Lucii . . . statutum, quod diligenter inspeximus, et plurimum commendauimus, prefatum monasterium beate dei genetricis semperque uirginis Marie in quo diuinis estis officiis mancipati sub beati Petri apostoli et nostra protectione de potestate legationis qua in Hibernia partibus fungimur suscepimus et presenti[†] scripti priuilegio comunimus.

Inprimis siquidem statuantes ut ordo monasticus, qui secundum deum et beati Benedicti regulam et institutionem Cisterciensium fratrum in eodem loco institutus esse dinoscitur, perpetuis ibidem temporibus inuiolabiliter obseruetur: Preterea quascunque possessiones quecunque idem monasterium in presentiarum iuste et canonice possidet, aut in futurum concessione pont[if]icis, largitione regum uel principum, oblatione fidelium seu quibuslibet aliis iustis modis prestante domino poterit adipisci, firma uobis uestrisque successoribus et illibata permaneant.

In quibus hec propriis duximus exprimenda uocabulis: scilicet, locum ipsum, in quo memoratum monasterium Vallis Dei situm est, Cellonascaik cum omnibus pertinentiis suis, Gra[n]gia Cellainni cum suis pertinentiis, Grangia Mulendinum Morain cum suis appenditiis, Grangia Dunnini cum suis appenditiis, Grangia Loch Ubriun cum suis appenditiis, Grangia Cech Meccuain cum suis appenditiis, Grangia Cellachadcona cum suis appenditiis.

Sane laborum uestrorum quas propriis manibus aut sumptibus colitis siue de nutrimentis uestrorum animalium nullus omnino a uobis decimas presumat exigere.

Liceat quoque uobis clericos vel laicos e seculo fugientes liberos et abso-

lutos ad conuersionem recipere et in uestro monasterio absque contradictione aliqua retinere.

Prohibemus insuper ut nulli fratrum uestrorum post factam in loco uestro professionem fas sit de eodem loco absque licentia magistri sui discedere, discedentem uero absque communium litterarum uestratum cautione nullus audeat retinere.

Paci quoque et tranquillitati uestre paterna sollicitudine prouidere uolentes, auctoritate legationis qua fungimur prohibemus ut infra clausuras locorum seu grangiarum uestrarum nullus uiolentiam uel rapinam siue furtum committere aut ignem apponere seu hominem capere uel interficere audeat.

Obeunte uero te nunc eiusdem loci abbate uel tuorum quolibet successorum nullus ibi qualibet subreptionis astutia seu uiolentia preponatur, nisi quem fratres communi consensu uel fratrum pars consilii sanioris secundum deum et beati Benedicti regulam et institutionem Cisterciensis ordinis prouiderit eligendum.

Ex apostolica ergo et legationis auctoritate qua fungimur per presentia scripta decreuimus, ut nulli liceat omnino hominum prefatum monasterium temere perturbare aut eius possessiones auferre uel ablatas retinere minuere aut quibuscumque molestationibus fatigare sed omnia integra et illibata seruentur eorum pro quorum gubernatione ac sustentatione concessa sunt usibus omnimodis profutura, salua nimirum apostolice sedis auctoritate.

Si qua igitur ecclesiastica secularisue persona in futurum hanc nostre constitutionis paginam sciens contra eam temere uenire temptauerit secundo tertioque commonita, nisi reatum suum digna satisfactione correxerit, potestatis honorisue sui dignitate careat, reamque se diuino iudicio existere de perpetrata iniquitate cognoscat, et a sacratissimo corpore ac sanguine dei et domini redemptoris nostri Jesu Christi aliena fiat, atque in extremo examine districtæ ultioni subiaceat. Cunctis autem eidem loco sua iura seruantibus sit pax domini nostri Jesu Christi quatinus et hic fructum bone actionis percipiant et apud districtum iudicem premia eterne pacis inueniant. Amen.

Datum Dublin :

John of Salernum (Giovanni di Salerno) was papal legate in Ireland, and held a Synod at Dublin in the year 1202,¹ which may therefore be taken as the date of this instrument. His seal is still attached (see Plate II). The legend is much injured, but seems to have been as follows :—

S' IHS D' SAL'N(O) SCI STEP(HANI) I CEL' MOTE PBRI (CARD')

Of the granges or farms specified, we have already had in no. i, *Cellainni* (Killenny), *Mulendinum Morain*, and *Dunnini*.

The abbot was *Thomas* ; as we learn from Charter 6, the abbot's name in 1204 was *Iman*.

¹ *Annals Loch Cé* ; cf. C.D.I. i, 168 ; C.M.A. i, 113 ; and R.T.A. 223.

iii.

Grant, by Alan Beg, for the good of his soul, to the abbey of Killenny, of an acre of land with the houses which the monks have possessed for a long time, and a fishpond which he gives to the infirmary of the convent.

Sciant presentes et futuri quod ego Alanus Beg dedi et concessi et hac mea presenti carta confirmaui pro salute anime mee et antecessorum meorum Deo, et beate Marie et Abbati de Valle Dei, et monachis ibidem deo seruientibus, unam acram terre cum domibus quas multo tempore possiderunt, cum ana piscaria quam dedi infirmitorio predictorum monachorum tenendum† et habendum† de me et heredibus meis tibi et successoribus suis in puram et perpetuam elemosinam [libere] et quiete integre et plenarie honorifice et pacifice et absque omni secula[ri e]xactione.

Et ut hec donatio mea rata et inconcussa permaneant illam sigilli mei munimine corroboraui.

Hiis testibus, Ranulfo rectore ecclesie de Baligauran, Thoma Buluin, Symone capellano, Thoma cisore de Balligauran, Willelmo capellano, qui hanc cartam scripsit, et multis aliis.

This Charter is undated, but it was probably executed about the year 1220. Alan Beg's seal is still attached (see Plate II).

The name *Beg* (or *Beck*) is the Irish equivalent of *Parvus* or *le Petit*, and one William *le Petit* is said to have been Chief Governor of Ireland in the last decade of the twelfth century. *Alan Beg*, who appears here and in Charters 13, 14, was perhaps of the same family.¹ His wife's name was *Nesta*.² He held lands in the baronies of *Idrone* and of *Forth*, co. *Carlow*; and he was a witness to various charters by which churches in the diocese of *Leighlin* were appropriated to *St. Thomas' Abbey*, *Dublin*, between the years 1200 and 1205.³ He also witnessed a Charter of *St. Mary's Abbey* about 1202.⁴

The three Charters of *Alan Beg* printed in this collection (nos. iii, 13, 14) are all witnessed by *Ralph the rector of Gowran*; and the Charter now before us is also witnessed by *Thomas Cisore*, or *Thomas the Tailor*, of the same place. *Alan's* property was in that neighbourhood.⁵

Ralph, the rector or parson of *Gowran*, appears again in that position in 1227 and 1228.⁶ He was a witness to Charters of *St. Thomas' Abbey* before the year

¹ The family of *le Petit* had close associations with *Meath*. *Ralph le Petit* was archdeacon of that diocese for nearly forty years, and became bishop in 1227. He may be the '*Ranulfus*' who is mentioned along with '*A. Beg*' (possibly the *Alan* of this Charter, but more probably the *Adam Beg* who witnessed charters printed in *R.T.A.* 21, 22), as interested in property in *Meath*, in a charter of *St. Mary's Abbey* (i, 158) granted before 1194 and confirmed in 1201. But he is not to be identified with *Ralph*, the rector of *Gowran*.

² Charter 13.

³ See *R.T.A.* 105, 107, 113.

⁴ *C.M.A.* i, 113.

⁵ See no. 14, below, for his land at *Ullard*.

⁶ See Charters 13, 23, 28, below.

1228.¹ His tombstone, a huge slab with the recumbent effigy of an ecclesiastic in vestments, is still to be seen in Gowran Church, with the curious inscription in hexameters :

“ Dum uixit sanus, Radoulfus erat Julianus
Dum uixit sospes, Ruptis fuerat pius hospes,
anno domini MCCLIII XIII Kal. April.”

This inscription gives the date of his death, 1253, and the appointment of his successor is dealt with in a Royal letter of 11 Feb., 1253-4.

These are all the records that remain of the earlier days of the little abbey of Killeenny, which was an Irish house founded by an Irish chieftain. We have now to trace the history of the more important abbey of Duiske or Graiguenamanagh, founded by an Englishman for English monks, which was soon to absorb the smaller and poorer monastery, established forty years before the richer house.

V.—THE CHARTERS OF DUISKE.

Richard Fitz Gilbert, earl of Clare, better known as ‘Strongbow,’ was the first of the great Anglo-Norman adventurers in Ireland. He arrived in the country in 1170, at the invitation of Dermot Mac Murrough, King of Leinster, who was at the time hard beset by his rivals ; and he married Dermot’s only daughter Eva, thus becoming, at Dermot’s death, the overlord of the Irish Kingdom of Leinster. When he died in 1176, he left no son ; and his only daughter, Isabella, married in 1189 William Marshal, earl of Pembroke, who thus became master of a splendid inheritance. William Marshal was a truly great man, who knew how to rule ; and his companions and helpers in the difficult task of reducing Leinster were, many of them, capable and vigorous in their administration of the lands which they held as his feudatories.

It was through these feudatories that William Marshal governed his fief for a good many years, and his only prolonged residence in Ireland was from 1207 to 1213.² His policy was always directed towards the establishment of English law and custom, both in civil and ecclesiastical affairs ; and to this end he gave charters after the Anglo-Norman fashion to the principal towns in his territory. He brought monks from England to the Cistercian houses which he endowed. One of these was Tintern Minor in co. Wexford, founded from the greater Tintern in Monmouthshire ; and the other was the abbey of Duiske in co. Kilkenny, which he filled with monks from the abbey of Stanley in Wiltshire.

¹ R.T.A. 132, 133, 134.

² See Orpen, *Ireland under the Normans*, ii, 207.

In the Chronicles of the abbey of Stanley, there is an entry which tells of the beginning of the abbey of Duiske :

“A.D. mcccij. Hoc eodem anno electus est conuentus nouus in Stanleye in Wiltesira cum abbate proprio, scilicet uenerabili uiro, Radulfo, x Kalendas Augusti, et in Hyberniam missus in provinciam Ostricensem¹ ad locum qui uocatur Sancti Saluatoris, quem dedit eis bonae memoriae uir Willelmus Marescallus comes de Penbruc, cum aliis terris plurimis.

Eodem anno depositus est dominus N[icholaus] abbas Stanleyæ a capitulo Cistercii, eo quod duxit conuentum in Hyberniam absque licentia capituli.”²

We must put beside this entry (made originally by a Cistercian monk of Stanley) another from the Extracts from the Duiske Register (F) :

“1204. Conuentus de Stanleya uenit in Hiberniam, qui primo habitauit apud Lochmeran iuxta Kilkenniam, deinde apud Athnamolt, postea apud Castrum, ultimo in loco ubi nunc sunt, dicto Duisque alias Sancti Saluatoris.”

These notices seem to indicate that there were two migrations of monks from Stanley to the county of Kilkenny. The first of these was attended by some irregularity and did not receive the sanction of the Cistercian chapter ; but the second was fully authorized and led to the establishment of a daughter house at Duiske, on ground given by William Marshal. In any case, monks from Stanley first settled in Loughmeran, a townland about two miles north of the city of Kilkenny, which formed part of Earl Marshal's castle farm. Thence they moved to Athermolt or Annamult, as it is now called, which is situated about six miles south of Kilkenny, to the west of the river Nore. Dr. Carrigan³ thinks that traces of its occupation by the monks may still be seen at Annamult, in the ruined building locally called the ‘Friars’ Barn.’ As we shall see (p. 17), Annamult afterwards became annexed to the abbey of Duiske as a grange or farm ; so that it is not surprising that the memory of the monks should have lingered there, but that they should be confused in local tradition with the friars or mendicant orders is curious.

The next halting-place, mentioned in the Duiske Registers above quoted as ‘Castri,’ was Grange Castri near Tulachany, now in the parish of Grange, adjoining Castleinch, a little to the north-west of Annamult. All these places were in William Marshal's territory, and were subsequently granted by him to Duiske Abbey. Probably the Cistercians from Stanley occupied them only for a short period, while the abbey buildings were being erected in the east of co. Kilkenny.

¹ I.e. Ossoriensem ; see p. 25, *infra*.

² *Chronicles of the reign of Stephen, Henry II, &c.*, ed. R. Howlett (Rolls Series), vol. ii, p. 508 ; the quotation is taken from ms. Bodl. Digby 11.

³ Carrigan, iii, 373.

Bun Duiske (which is the Irish for 'the Mouth of the Black Water') is beautifully situated on the western bank of the river Barrow, which divides the county of Kilkenny from that of Carlow. It is now called Graiguenamanagh, or 'the Grange of the Monks.'¹ We learn from Charter No. 6 that a cemetery was consecrated here for the monks on 6 June, 1204, so that the land must have been granted to the new convent by William Marshal before that date, or (at any rate) a promise must have been made by him upon which the monks felt they could rely with confidence.

The earliest extant charter embodies a quittance of claim upon land at Duiske, which was essential as a preliminary to its transfer to the convent.

1.

Quit claim by Geoffrey Fitz Robert in respect of the lands of Duiske and Annamult to William Marshal, earl of Pembroke, and his Cistercian monks from Stanley, for the abbey to be founded in honour of the Saviour.

Galfridus filius Roberti omnibus amicis et hominibus suis ad quos presens scriptum peruenerit salutem.

Sciatis quod ego relaxaui et quietam clamaui omnem demandam cum omni iure et calumpnia tota quam habui in terra de Dowisky, et in terra similiter de Athermolt, domino meo Guillelmo Marescallo Comiti Pembroc et monachis suis Cisterciensis ordinis de Stanleg, de me et heredibus meis sine omni reclamatione in perpetuum, ad abbatiam suam fundandam in honore Sancti Saluatoris.

Et ut hoc ratum permaneat et stabile in perpetuum in testimonium predictae relaxationis sigillum meum presenti scripto apposui.

Hiis testibus Hugone episcopo Ossoriensi, Johanne Marescallo, Radulfo Bloet, Johanne Lupo, Nicholao Auenel, Thoma de Rocheford, Willelmo de Boseuille, Eustacio capellano, Thoma filio Antonii, Ricardo Fan(nin), Odone Archidiacono, Herberto et Michaele, clericis comitis, et aliis.

William Marshal, earl of Pembroke, did not take up his fief in Ireland until early in 1207,² but this instrument was probably executed before his arrival, and may be dated in the year 1204. The grantor, *Geoffrey Fitz Robert*, was one of William Marshal's knights and at one time his seneschal. Later, he attested the Earl's charters to Kilkenny³ and to Dunbrody Abbey,⁴ and he died about 1211.⁵ He was Baron of Kells and the founder of Kells Priory for Austin canons, whom he imported from Bodmin in Cornwall. One of these was *Hugh Rufus*, or le Rous,

¹ Hogan's *Onomasticon* gives a different derivation, viz., that Graiguenamanagh = Graig-na-breathnach, 'the Grange of the Britons,' i.e. the Welsh colonists who settled there.

² Orpen, *Ireland under the Normans*, ii, 209.

³ *Chartae*, p. 34.

⁴ C.M.A. ii, 160.

⁵ Orpen, *l.c.*, ii, 266.

who was the second Prior and became bishop of Ossory in 1202, being the first Anglo-Norman prelate who governed that see. He was in England in June, 1204 (see Charter 6), and apparently did not return until 1207,¹ so that this instrument, which was evidently executed in Ireland, is perhaps prior to the former date. He died in 1218, and was buried at Kells.

John Marshal, the second witness, was William Marshal's nephew, and had licence to go to Ireland about April, 1204, and to remain there on the earl's service.² He witnessed charters granted by William Marshal to St. Thomas' Abbey, Dublin,³ to Tintern Abbey,⁴ and to the city of Kilkenny,⁵ as well as the charter given to Carlow by William Marshal the second.⁶ He died in 1235.⁷

Ralph Bluet was a witness to a charter of Richard Fitz Gilbert (Strongbow) before 1176,⁸ and also to some grants made by William Marshal.⁹

John Lupus, or Wolf, or de Low, may have been a kinsman of an ecclesiastic of the same name who was Dean of Ossory at the beginning of the fourteenth century, and who appears in Charter 94. Cf. p. 42.

Nicholas Avenel may perhaps be the man of that name who held land at Kilferagh, co. Kilkenny, of Richard de Clare, earl of Gloucester, one of the heirs of the Marshal family, in 1247.¹⁰

Thomas de Rochfort held lands by similar tenure at the same date, in Laver-tach, co. Kilkenny.¹¹ He was a fellow witness with Ralph Bluet to two charters mentioned already.¹² It is possible that he is to be identified with Thomas de Rochfort, Constable of Bristol, who appears in 1204.¹³

Eustace, chaplain, witnessed William Marshal's Protection to Dunbrody Abbey,¹⁴ and is perhaps the same man as Eustace de Bartolomonte who appears in Charters 3 and 4.

Thomas Fitz Anthony was one of William Marshal's principal tenants, and became his seneschal, probably succeeding Geoffrey Fitz Robert in that office in 1211. He had the manor of Grenan, which was on that account called Thomas-town in later times. He was a witness to several charters of William Marshal the elder and William Marshal the younger.¹⁵ He died in 1229.

Richard Fannin witnessed William Marshal the elder's charter to Kilkenny between 1207 and 1211;¹⁶ he was dead in 1234.¹⁷ Thomas Fannin his son held Marshal lands in 1247 in Glothementan (Clomantagh), co. Kilkenny.¹⁸

'*Odone Archidiacono*' does not represent the name of an ecclesiastic. Odo l'Ercedekne was one of the Anglo-Norman adventurers, whose son, Sir Stephen l'Ercedekne, married one of the daughters of Thomas Fitz Anthony, and held property in Ballyragget, co. Kilkenny. The family were proud of their descent, and in later times changed their name to 'Mac Odo,' in honour of their founder. This has been corrupted into 'Cody,' now a common surname in the south of

¹ In April, 1207, we have a record of "letters of simple protection for Hugh bishop of Ossory" (C.D.I. i, 326). ² Orpen, *l.c.*, ii, 207; C.D.I. i, 210. ³ R.T.A. 119.

⁴ *Chartae*, &c., p. 80.

⁵ *Chartae*, &c., p. 34.

⁶ *Chartae*, &c., p. 38.

⁷ See D.N.B. s.v. 'Marshal, John.' ⁸ C.M.A. i, 258.

⁹ R.T.A. 137, 357; cf. C.D.I. i, 387, 1123, 1226, 1318.

¹⁰ C.M.A. ii, 405.

¹¹ *Ibid.*

¹² R.T.A. 137, 356.

¹³ C.D.I. i, 208.

¹⁴ C.M.A. ii, 160.

¹⁵ Cf. *Chartae*, &c., pp. 34, 38.

¹⁶ *Chartae*, &c., p. 34.

¹⁷ C.D.I. i, 2212.

¹⁸ C.M.A. ii, 404.

Ireland. Odo l'Ercedekne seems to have died about 1217.¹ He also witnessed William Marshal's Charter to Kilkenny.

Herbert, one of William Marshal's clerks, appears as such in his Protection to Dunbrody Abbey.²

2.

Quit claim by Adam Fitz Sinnott in respect of his land at Annamult to his lord, William Marshal, and to the monks of Stanley, for the abbey to be founded in honour of the Saviour, it being provided that he and his heirs may for ever appoint a monk to the said abbey, who can speak the English tongue.

Omnibus ad quos presens scriptum peruenerit Adam filius Sinath salutem.

Sciatis quod ego relaxaui et quietam clamaui omnem demandam cum omni iure et calumpnia tota quam habui in terra de Athermolt, domino meo Willelmo Marescallo Comiti Pembroke, et monachis suis Cisterciensis ordinis de Stanleghe, de me et heredibus meis sine omni reclamacione in perpetuum in auxilium abbacie sue fundande in honorem Sancti Saluatoris.

Et ut hoc ratum permaneant et stabile in testimonium predicte relaxationis sigillum meum presenti scripto apposui. Hanc autem relaxationem et quietam clamacionem feci in Comitatu Wesefordie.

Predicti uero monachi concesserunt michi, recepturos se monachum unum ad presentationem meam et heredum meorum successiue in perpetuum, qui tamen de lingua Anglica sit, et idoneus ad seruitium Dei in eodem monasterio faciendum; et inde michi cartam suam fecerunt.

Hiis testibus Thoma filio Antonii, Domino Johanne abbate de Voto, Willelmo Grasso, Guidone de Cultura, Roberto Mansello, Nicholao de Inteburga, Rogero filio Euerardi, Eustachio de Bertolomonte, Willelmo de Cromhale, Philippo clerico, Waltero clerico, et multis aliis.

This instrument, like the last, is prior to the foundation of the abbey of Duiske, and is about the same date, viz., 1204.

Adam Fitz Sinnott was probably of Flemish descent. His son, David, was granted lands in Shelmalier East, co. Wexford, about the year 1215 by Gerald Roche.³ In after times Sinnott was a well-known Wexford name.

For *Thomas Fitz Anthony* see p. 15.

John Torrell was the first abbot of Tintern, which was founded by William Marshal, about the year 1200.⁴

William Crassus or *le Gras* was a member of a considerable family at Sodbury in Gloucestershire, who were kinsmen of the Marshals. There were four brothers, one of whom was bishop of St. Davids from 1230 to 1247. The other

¹ R.T.A. 133. ² C.M.A. ii, 160. ³ See *Annuary* (1868-9), R.S.A.I., p. 52 n.

⁴ See C.M.A. ii, 307. Mr. Orpen points out that William Marshal's charter to Tintern is probably later (*l.c.* ii, 207).

three—William senior, William junior, and Hamo—apparently came to Ireland in William Marshal's train, and their names often appear as witnesses to the Marshal charters.¹ One of the family held Marshal lands at Offerlane, Queen's Co., in 1247;² and they settled finally at Tullaroan, co. Kilkenny. They were the ancestors of the Graces of Courtstown, a well-known Kilkenny family.³ William le Gras senior, who appears here, became seneschal of Leinster (see Charters 13, 14), and lived at any rate up to 1235.⁴

Guy de Cultura appears again in no. 9. *Cultura* may be the Latinised form of *Couture*, in the diocese of Mans, where there was a Benedictine monastery.

Nicholas de Hinteberg. The family of Hinteberg or Henneberry, as it came to be called, were settled at the beginning of the fourteenth century in the parish of Owning, in the barony of Overk, co. Kilkenny; and the townland of Ballyhenneberry preserves their name to this day. Nicholas appears again as a witness to Charter 16.

Roger Fitz Everard witnessed a charter of William Marshal the elder, being a release to Hugh bishop of Ossory, another witness being Thomas Fitz Anthony.⁵

Eustace de Bartolomonte, who appears again in Charters 3 and 4, witnessed also a grant by Thomas Fitz Anthony to Dunbrody Abbey.⁶ See p. 15, above.

Philip the clerk, who appears again in Charters 9, 13, 14, was a witness to William Marshal the elder's Charters to Dunbrody⁷ and Tintern.⁸

This deed is mentioned in the extracts from the Duiske registers (E), where it is described as "Relaxatio Adami filii Sinath in comitatu Wesefordiae." It had one seal, which has disappeared.

3.

Charter of Foundation, by William Marshal, earl of Pembroke, of the monastery of St. Saviour, in honour of God and of the B.V.M., for Cistercian monks at Duiske;

Granting them, for the good of his soul and that of his wife Isabella, &c., the land of Duiske, eleven carucates at Annamult, ten carucates held by Stephen de Valle near Kilkenny, a burgage in Kilkenny, one in Wexford, and one in the Island; and confirming to the abbey all that it may hereafter acquire by donation or purchase;

All the foregoing to be held with churches and chapels and all liberties and free customs, soch, sach, tholl, theam and infangenetheof, with freedom in land and water;

The monks to be exempt, themselves, their men and servants, from geld, denegeld, fines, payment of cows for heads of outlaws, and various specified exactions, aids and contributions;

¹ See *Chartae*, &c., pp. 34, 38, 85. ² C.M.A. ii, 405. ³ See Carrigan, iii, 498 ff.

⁴ *Gormanston Reg.*, fol. 208. For other references to William Crassus senior, and Hamo Crassus, see *Royal Letters Henry III*, vol. i, pp. 291, 429, 441, 501, 525.

⁵ See Inq. P.M. 54 Henry III, no. 64. ⁶ C.M.A. ii, 193. ⁷ C.M.A. ii, 158.

⁸ *Chartae*, &c., p. 80.

The abbey and its tenants not to be subject to forest regulations, and the monks to have all forfeitures of their own men, jurisdiction of life and limb to be retained by the Founder and his heirs, through all whose forests they are to have free pasture for their hogs, and materials for building and firing ;

Those who molest or aggrieve the monks to incur a fine of 10 marks, and the malediction of God and the Founder.

Willelmus Marescallus Comes de Pembroc uniuersis hominibus suis Francis et Anglis Walensibus et Hybernensibus et omnibus amicis et fidelibus suis salutem.

Sciatis me pro amore dei et pro salute anime mee, et pro salute Isabelle uxoris mee ac liberorum nostrorum, et pro animabus omnium antecessorum et successorum nostrorum, fundasse in honorem dei et beate Marie uirginis et matris domini abbatiam Sancti Saluatoris de ordine monachorum Cisterciensium in terra Dowisky, et eidem abbacie cum assensu et uoluntate pronominate I. uxoris mee, dedisse et concessisse et in puram et perpetuam elemosinam carta mea presenti confirmasse, totam illam terram Dowisky cum pertinentiis suis, et Hathelmolt pro undecim carrucatis terre, et terram quam Stephanus de Valle tenuit iuxta Kylkenni pro decem carrucatis terre, unum quoque burgagium in Kylkenni et aliud in Weseford et tertium in Insula.

Concessi et eidem abbacie et carta mea presenti confirmaui quicquid ei potuerit in futuro pia donatione seu uenditione fidelium, saluo seruitio meo et heredum meorum, peruenire.

Volo igitur et firmiter statuo ut abbatia prenominata, et abbas et monachi ipsius loci, habeant et teneant omnes predictas terras et tenementa prenominata, cum ecclesiis et capellis et omnibus libertatibus et liberis consuetudinibus suis, et cum socha et sacha et toll, et theam et infangenetheof, bene et in pace, libere et quiete, plenarie et integre et honorifice; in bosco et in plano, in pratis et pasturis, in aquis et molendinis, in stagnis et uiuariis, in mariscis et piscariis et gliseriis, in grangiis et uirgultis in uiis et semitis, infra burgum et extra et in omnibus aliis locis et rebus.

Et sint quieti, ipsi et homines et seruientes sui, et res et possessiones eorum, de geld et dengeld, et murther et latrocinio, et de pecunia que ad murtherum pertinet, uel ad latrocinium, et de uaccarum solutione quam dari solebant pro capitibus utlagorum, et de scuagio et hidagio et carruagio et cornagio, et summagio et hutiban, et scyris et hundredis, et de sectis scyrarum et hundredorum, et de exercitibus et assisis, et summonitionibus, et de tesauo ducendo, et de auxiliis uiccomitum et omnium seruientium suorum, et omnibus aliis auxiliis, et de operationibus castellorum et pontium, et parcorum, et murorum et uiuariorum, et de misericordia comitatus, et de telonio, et pontagio et passagio et lestagio et stallagio et tallagio, et de clausuris, et de werdpeni, et hauerpeni, et thethingpeni, et blodwite et fichtwite et hengwite et flemenewite.

Et sit ipsa abbatia cum omnibus tenementis suis extra forestam et omnino sine riguardo forestarie. Et liceat eisdem monachis de boscho et in omni bosco suo, de aquis et in aquis suis quicquid uoluerint facere. Et sint liberi ab omni uexatione et penitus extra dangerium forestariorum et omnium aliorum seruientum terre, de pastu, uidelicet, et omnibus aliis exactionibus quas forestarii et alii seruientes terre solent exigere, et de omnibus querelis et placitis et occasionibus et consuetudinibus, et de omni seruili opere et seculari exactione.

Et habeant sibi omnimodam forisfacturam propriorum hominum suorum, sola iusticia uite et membrorum mihi et heredibus meis retenta.

Et per omnes forestas meas pasturam habeant porcorum suorum quietam a pannagio, et quicquid ad ardendum et ad edificandum habuerint necessarium.

Si quis uero uel in presenti uel in futuro quicquam de his que predictae abbacie concessi calumpniatus fuerit, non tenebuntur inde monachi respondere, sed ad me pertinebit et ad heredes meos calumpniatoribus eorum uel escambio uel alio rationabili modo satisfacere, monachisque quicquid eis donauit guarantizare et integrum conseruare.

Districte ergo prohibeo super forisfacturam meam, uidelicet decem marcarum, ne quis eos uel homines suos aut seruientes suos aut res aut possessiones eorum maliciose uexet aut grauet uel in aliqua re disturbet. Quod si quis facere presumpserit dei maledictionem et meam similiter et forisfacturam premonstratam se nouerit incidisse.

Quicumque uero locum ipsum et elemosinam meam eidem assignatam promouerint siue manu tenuerint, cum dei benedictione et mea remunerationem eternam inueniant.

Testibus Domino Albino episcopo Fernensi et Hugone Oxeriensi, Johanne Mariscallo, Johanne de Erleg, Willelmo de Lunden, Radulpho de Bendeuill, Mylone filio episcopi, Philippo Prendelgast, Thoma filio Antonii, Waltero Porcell, Willelmo de Sancto Leodegario, Thoma de Dummer, Mauritio de Lunden, Andrea Auenel, Willelmo de Cantinton, Johanne de Penriz, Eustachio de Bertrimunt, Terrico de Niuer, Thoma Russel et multis aliis.

This charter was executed in Ireland, as the names of the witnesses indicate, and it may be dated shortly after William Marshal's arrival to take up his fief in 1207. Its terms were closely followed by Walter Marshal, the founder's son, in his charter to Dunbrody Abbey¹ about 1241.

The Saxon legal terms employed are common in deeds of this nature. 'Socha' is from the Saxon 'soch,' which means 'liberty,' sc. to minister justice. 'Sacha' is from 'sac,' a 'cause,' and denotes the privilege which the lord of a manor had of holding pleas in causes of debate among his vassals. 'Toll' implies liberty to take 'custom' and to be exempt therefrom. 'Theam' is from 'tyman,' to bring forth, and has to do with the powers of the lord of the manor over his vassals and their children. 'Infangenetheof' denotes the liberty to try a thief for offences committed within the estate.

¹ C.M.A. ii, 162.

All the early donations of land to the convent were, like this the first, given 'pro salute animae' of the donor and his relatives. They were made 'in puram et perpetuam elemosynam,' and there was no question of any return by way of rent or the like, for the first half century of the life of the abbey. Thereafter leases begin to appear among the abbey muniments, no. 61 being the first granted by an individual of which we have a record.

William Marshal's seal is still attached to the charter, which is mentioned (as is natural) in the Extracts from the Duiske registers (E, F, L).

Cistercian abbeys were always dedicated to God and the Blessed Virgin Mary ; and they were generally given some special title in addition. Thus Baltinglass was 'de Valle Salutis,' Killenny was 'de Valle Dei,' and Duiske, with which we are particularly concerned, was 'de Valle sancti Saluatoris.'

It has been already explained (p. 12) that it was through his wife Isabella, Strongbow's daughter, that William Marshal obtained his vast possessions.

A carucate contained about 120 Irish acres ; and of the eleven carucates granted at *Annamult*, charters 1 and 2 have told of quit claims by former tenants.

The land held by *Stephen de Valle* was at Tulachany (see further, p. 21), or Grange, in the barony of Shillelogher, co. Kilkenny, a district already mentioned (p. 13) as one of the temporary resting-places of the monks from Stanley, before the abbey of Duiske was built. In 1247 we find John de Valle holding Marshal lands at Tulachany,¹ and the family—variously known as de Valle, Wale, Wall, Veal, or Calf—remained there for centuries. Stephen de Valle appears elsewhere as a witness, along with Alan Beg, to a Charter of William de Burg, who died in 1206.²

The district known as the *Island* was part of the parish of Kilmokea in the barony of Shelburne, co. Wexford ; it is no longer separated from the mainland, as the channel has long since been filled up.

Most of the witnesses to this important charter were considerable people :

Albin O'Molloy, bishop of Ferns, was the last Celtic bishop of that see. He had been formerly abbot of the Cistercian monastery of Baltinglass, and had in 1204 (see Charter 6) already consecrated a cemetery for his brother Cistercians at Duiske. He ruled the see of Ferns from 1186 to 1223.

For *Hugh le Rous*, bishop of Ossory, and *John Marshal*, see p. 15, above.

John d'Erlée, so called from Early in Berkshire, was one of William Marshal's most trusted followers. He came to Ireland with his lord in February, 1207, and was entrusted with the custody of southern Leinster when the earl was summoned back to England by King John. He witnessed the Charters granted to Kilkenny, and to Dunbrody and Tintern abbeys. He obtained the estate, now known as Earlstoun, in the barony of Shillelogher, co. Kilkenny, from an earlier Anglo-Norman grantee. He was probably alive in 1228 (see Charter 25).

William de London was possibly a kinsman of Henry de Londres, who was archbishop of Dublin from 1213 to 1228 ; he appears as a witness to a charter granted by that prelate.³ He also witnessed King John's charter to Dublin in 1200,⁴ and William Marshal's charter to Tintern,⁵ as well as two deeds preserved in the archives of Christ Church, Dublin.⁶

¹ C.M.A. ii, 405.

² R.T.A. 105.

³ R.T.A. 286 ; cf. 57, 68.

⁴ *Chartae*, &c., p. 12.

⁵ *Ibid.*, p. 80.

⁶ Nos. 28, 29.

Ralph de Bendeville appears as Archdeacon of Leighlin in 1210, but he had not reached that dignity when he witnessed this instrument (cf. Charter 7). He appears earlier as witnessing a charter granted by Strongbow (before 1176).¹

For *Milo Fitz Bishop* see p. 8, and for *Thomas Fitz Anthony* p. 15.

Philip de Prendergast was son of Maurice de Prendergast, from the Flemish colony in Pembrokehire, who had been granted land near Wexford by Strongbow. Philip, who was one of William Marshal's men (although not uniformly loyal to his lord), married Matilda de Quency (see Charter 18) in 1198, and thus became lord of the manor of Enniscorthy. He appears frequently as a witness to charters of this period.² He died in 1229.

Walter Purcell was another of William Marshal's men. He held land adjoining that of the St. Legers in co. Kilkenny,³ and was the founder of a well-known Kilkenny family. He appears as seneschal of Leinster in 1219,⁴ and as witness to many charters varying in date from 1200⁵ to 1202.

William de St. Leger was granted the parish of Tullaghanbrogue, co. Kilkenny, at the invasion; and the family kept the property until the Cromwellian confiscations, when it was given to the Cuffes. Geoffrey St. Leger, bishop of Ossory from 1260 to 1287, was presumably of the same stock. William was a benefactor to St. Thomas' Abbey,⁶ and either he or his son (who had the same name) made a grant to the convent of Duiske (see Charter 48).

Thomas de Dummer may have been of the kin of Philip Dumer, who held Marshal lands at Dysert, co. Kilkenny, in 1247.⁷

Maurice de London witnessed King John's Charter to Dublin in 1200,⁸ and William Marshal the elder's charters to Tintern⁹ and to Dunbrody,¹⁰ about 1208; as well as Walter Marshal's charter to the latter abbey in 1244.¹¹ In Richard Marshal's deforestation charter of 1233 he is named as holding land in the vicinity of Ross.¹² He appears again (if this be the same man) in Charter 59.

William de Caunteton. The Cauntetons (or Condons, as they have been called in later times) acquired the lordship of Glasscarrig, near Gorey, co. Wexford, towards the end of the twelfth century. This William de Caunteton may be identified with the man of that name who witnessed grants to St. Thomas' Abbey before 1189,¹³ and about 1200.¹⁴ He is mentioned in Charter 14 as the husband of Cecilia, the daughter of Alan Beg (see p. 11, and further, p. 35).

John de Penriz appears in the year 1205,¹⁵ as receiving a writ of *Mort d'Ancestor* against Theobald Walter, touching land in Arklow.

For *Eustace de Bartolomonte* see p. 17.

4.

Amending Grant by William Marshal to the abbey of Duiske of land at Tulachany with Clundaf, Kilmeggeth, and Liscrithan.

This charter is identical with no. 3, except that the words in no. 3 "terram

¹ C.M.A. i, 258.

² R.T.A. 155, 157, 214, 221, 226, 338; C.M.A. i, 30, 107, 109.

³ R.T.A. 137, 356.

⁴ C.D.I. i, 873.

⁵ *Chartae*, p. 12.

⁶ R.T.A. 48, 137.

⁷ C.M.A. ii, 405.

⁸ *Chartae*, p. 12.

⁹ *Chartae*, p. 80.

¹⁰ C.M.A. ii, 159.

¹¹ C.M.A. ii, 164.

¹² C.M.A. ii, 157.

¹³ R.T.A. 205.

¹⁴ R.T.A. 112; cf. also 88.

¹⁵ C.D.I. i, 280.

quam Stephanus de Valle tenuit," are replaced by the more specific description "et Tullachani cum pertinentiis suis, scilicet Clundaf et Kilmeggeth et Liscrithan." The seal is intact, as in no. 3, and the witnesses are the same. The charter was apparently re-written to obviate any future dispute as to the extent of the lands granted at *Tulachany*, which with its appurtenances constitutes the modern parish of Grange, co. Kilkenny. *Kilmeggeth* is now called Kilmogg, or the Race Course. See no. 107 for a complete description of the lands comprised in the Grange of *Tulachany*.

A facsimile of this charter will be found in Gilbert's *National Manuscripts of Ireland*, pt. II, no. lxix.

5.

Confirmation by Hugh le Rous, bishop of Ossory, of William Marshal's grants of land to the abbey of Duiske, with the tithes of the chapels of Duiske and Annamult.

H. dei gratia Ossoriensis episcopus omnibus Christi fidelibus ad quos presens carta peruenerit salutem et benedictionem.

Licet omnibus quibus deus preesse nos uoluit teneamur prodesse, maxime tamen illud nos conuenit paterne dilectionis curam sollicitius impendere quos prepollere nouimus artioris vite et religionis decore. Inde est quod dilectos filios nostros abbatem et monachos Sancti Salvatoris de Dowisky cum suis omnibus fratribus famulis bonis et beneficiis sub dei et nostra protectione suscepimus; et terras eorum et omnia tenementa tam laica quam ecclesiastica tam mobilia quam immobilia pie illuc a viro venerabili Willelmo Marescallo comite de Pembroc iam concessa vel in posterum concedenda, et nominatim capellas de Dowisky et de Atermolt, cum decimis, et aliis pertinentiis ad easdem capellas spectantibus, divine karitatis intuitu fratribus eisdem concessimus, et in perpetuum auctoritate pontificali confirmauimus.

Testibus capitulo de Stanleg, unde eos comes prenomatus ad fundandum sibi cenobium in Hyberniam accersuit, Roberto de Kocre, Odone Archidiacono, Ricardo Fanin, Reginaldo canonico de Bomine, Felice clerico, Radulpho Russel, Odone filio Benedicti, et Adam, seruientibus nostris, et multis aliis.

Of this charter, portions of the seal remain. It is probably not much later than nos. 3 and 4, and seems to have been executed in Ireland, whither the chapter of Stanley (or some of its members) had been brought by the earl for the founding of the monastery. The names of *Odo l'Ercedekne* and *Richard Fannin*, who witnessed William Marshal's charter to Kilkenny about the same time, and also our Charter no. 1 (see p. 14), confirm this view of the place where the charter was granted.

Reginald, canon of *Bodmin*, who also appears, was *Reginald de Aclond*, one of four Austin canons whom Geoffrey Fitz Robert (see p. 14) brought over from *Bodmin* in Cornwall, for the priory which he founded at Kells. *Reginald* was the first prior, being succeeded by Hugh le Rous; but when the latter was made Bishop of Ossory, he again became prior (see no. 9), and appears as late as 1229 in that capacity.

6.

Letters testimonial of Hugh le Rous, bishop of Ossory, to the abbot of Citeaux and the general chapter of the Cistercians; setting forth that during his absence in England and by his permission, Albin, bishop of Ferns, on 6 June, 1204, had dedicated a cemetery at Duiske on the land which William Marshal had given for a monastery to monks from Stanley; and incorporating the Bishop of Ferns' certificate of the dedication, as well as the formal agreement of Gregory, abbot of Jerpoint, and Iman, abbot of Killenny, thereto.

Viro uenerabili et uirtutum meritis insigni domino abbati Cisterciensi sancteque congregationi capituli eiusdem generalis, H. diuine dono gratie Ossoriensis episcopus cursu securitatis brauium consequi felicitatis eterne.

Cum in perhibendo ueritati testimonio omni humane creature simus debitores in eorum negociis promouendis, adhuc promptiores tenemur inuenire, quorum fundatio patrie ad securitatem, quorum sustentatio tam diuitibus quam pauperibus ad solamen, quorum prorsus conuersatio dei creuit ad gloriam et honorem.

Hinc est quod petentibus in nobis dilectis filiis nostris sacri ordinis uestri uiris religiosis, abbate scilicet et conuentu de Valle Sancti Saluatoris, sancte congregationi capituli uestri generalis duximus testificandum quod cum uir illustris W. Marescallus Comes Pembroke monasterium fundasset memoratum in Valle que nunc dicitur Sancti Saluatoris, et ex re quidem† nomen accepit cum prius esset locus horroris et uaste solitudinis, spelunca latronum et cubile sanguinis insidiantium, pro negociis nostris in Anglia constituti, archidiacono et officialibus nostris litteris patentibus dedimus in mandatis ut si fratres monasterii predicti ante reditum nostrum in Hyberniam in foundationis sue loco cimiterium sibi desiderarent dedicari per uenerabilem fratrem nostrum Fernensem episcopum, uel alium quemlibet antistitem transitum per uos facientem, hoc benigne auctoritate nostra permetterent adimpleri.

Fratribus igitur memoratis hoc petentibus cum cimiterio ipsorum dedicando dominus Fernensis memoratus accessisset et inter eiusdem loci monachos ex parte una et de Joriponte ac de Valle Dei abbates tunc ibidem presentes ex parte altera, de uicinitate loci questio oriretur, tandem idem abbates sicut patuit ex post facto in consensum transeuntes, eidem dedicationi faciente ipsi episcopo sine contradictione astiterunt et cooperati sunt, prout idem episcopus litteris suis patentibus protestatur, quas et oculis uidimus et manibus nostris contrectauimus sub tenore ac forma quam presenti pagine censuimus inferendam:

“Domino Cisterciensi et omnibus reuerendis patribus qui omni recurso temporis ad Cisterciensium conueniunt capitulum, Albinus Dei gratia Fernensis de ordine Cisterciensi creatus episcopus, ad suam filiorumque salutem recta discernere in eo qui saluat rectos corde:

Nouerit uniuersitatis uestre prouidentia quod anno ab Incarnatione domini M.CC.III. VIII Idus Junii in Osseria, ex permissione et auctoritate domini Hugonis Ossoriensis episcopi, qui tunc temporis causa existente in Angliam transfretauerat, iuxta ripam fluminis Barwo, circumfluente populo, et assistantibus nobis et cooperantibus uenerabilibus fratribus nostris Gregorio et Yman Sancte Marie de Jeriponte et Valle Dei abbatibus, dedicationem cimiterii sollempniter celebrauimus in terra, uidelicet cui nomen est Adlatharan, et fuit quondam Bren Odowiskir, quam nimirum Willelmus Marescallus Comes de Pembrok ordini Cisterciensi ad construendam abbatiam donauit Anglicis et Sancte Marie monachis de Stanleia in opus illud euocatis. Quamobrem eorum qui ibidem Deo seruituri sunt perpetue paci et tranquillitati prospicientes, in omnes [†]quecumque tenementa et alia bona ad suam et hospitem sustentationem et fundatione suo donata, siue que deinceps pia fidelium donatione consequi poterunt, diripiendo uel minuendo in eos malignari presumpserunt anathematis sententiam protulimus; omnes autem qui sedula protectione quascumque eorum possessiones defensare et ut benigna etiam largitate augere uoluerint Dei omnipotentis benedictioni commendauimus.”

Hec igitur in nostra ita sollicitudine celebrater[†] peracta declarando posteris scripto mandauimus, et sigillo nostro muniuimus, quatinus boni predictos Dei seruos et eorum successores propter mercedem diligere et beneficiis ad antur, et mali timore pene ab odio eorum et omni grauamine conpescantur, litteras etiam abbatis de Joriponte super uicinitatis concessas patentes qui abbacie de Valle Dei pater abbas est, in hec uerba uiderunt oculi nostri et manus nostre tractauerunt:

“Domino abbati totique capitulo Cistercii frater G. dictus abbas de Joriponte totusque eiusdem loci conuentus salutem et deuotam obedientiam.

Noueritis nos concessisse monachis de Sancto Salvatore ut in terra Ua Duuiskir suam construant abbatiam et grangias ad libitum suum constituent. Et ut omnis disceptandi occasio de uicinitate tollatur eandem concessionem nostram auctoritate nostre presentis carte generali capitulo directe et sigilli nostri testimonio communiuimus. Hanc tamen damus eis licentiam salua ordinis reuerentia. Quoniam igitur abbatia pretaxata regulariter et secundum deum conuincitur stabilita sanctitati uestre censuimus et supplicandum quatinus inde gratius gratie uestre commendata permaneat et ipsius promotioni efficiamini promiores, quod uirorum inibi Deo seruientium quanto latius se diffundit opinio eo suauius noscitur redolere. Valeat sancta congregacio uestra semper in Christo.”

A small piece of the seal of Bishop Hugh le Rous is still attached to this document, which presents several features of interest.

Its tenor shows, in the first place, that the new abbey of Duiske was counted as being situate in the diocese of *Ossory*. Now the parish of Graiguenamanagh has always been regarded, since the beginning of the fourteenth century at any rate,¹

¹ It is not included in the Taxations of parishes in Ossory in 1306 and 1318, which are given in the *Red Book of Ossory*. See Charter 28, *infra*.

as belonging to the diocese of *Leighlin*. But throughout its history, the abbey of Duiske, as distinct from the parish which grew up around it, was counted as in Ossory diocese. This appears explicitly in the year 1245;¹ in 1254;² in 1306, when the abbey is described in Charter 97 as of the diocese of Ossory, and when (as also in 1318) it was taxed with that diocese;³ in 1362,⁴ 1440,⁵ 1460,⁶ 1475,⁷ and 1490,⁸ the abbey being indicated in each of these years as "*Ossoriensis diocesis*." So it is described also in 1513, in the title of the Extracts from the Register which we call E.⁹ Indeed as early as 1228, the Bishop of Leighlin formally renounced¹⁰ all claims against the abbey of Duiske, arising out of its absorption of Killenny, which was in his diocese. It was probably on account of the difficulties arising from the circumstance that the abbey and the parish of Graigue were not in the same diocese, that an instrument of date 1401 setting forth the boundaries of Leighlin was entered in the Duiske Registers.¹¹

The description of the site of Duiske Abbey as "a place of horror and of a vast solitude, a cave of robbers, and the lair of those who lie in wait for blood" reads strangely to those who know it now as a beautiful and smiling valley. But it has always to be remembered, to the credit of the monks, here and elsewhere, that they did a great work in reclaiming and cultivating wild tracts of country. Many of the grants of land set out in subsequent charters were grants of bare moor and bog and mountain; it was by the labours of the community at Duiske that they became valuable.

The opening words of the certificate of Albin, bishop of Ferns,¹² allude to the rule requiring all Cistercian abbots to attend annual chapters at Cîteaux. This was modified for the Irish houses, the presence of three only of the Irish abbots being required, and the abbot of Mellifont being made responsible for their compliance with the regulation.¹³

That it was necessary to obtain the consent of the neighbouring abbeys of Jerpoint and Killenny, before a new establishment could be set up, was natural; and the disputes between Duiske and these convents which continued for centuries show how far from a mere formality this consent was. There was really not room for three Cistercian houses in the same county, and this became plain very soon.

The language of the consent by the abbots of Jerpoint and Killenny shows that in 1204 the abbey of Duiske had not yet been built. "*Ut in terra Ua Duuiskir suam construant abbatiam*" were the terms of their concession to their new neighbours and rivals.¹⁴

The date of Bishop Hugh's Letters Testimonial cannot be determined with precision, but it was probably later than that of William Marshal's Foundation Charter, which we ascribed, tentatively, to 1207.

¹ Charter 53.

² See p. 86.

³ See p. 131.

⁴ Charter 99.

⁵ Charter 101.

⁶ Charter 103.

⁷ Charter 104.

⁸ Charter 105.

⁹ See p. 154.

¹⁰ Charter 28.

¹¹ It is almost illegible, but its tenor is unmistakable. It is found both in E and in F.

¹² See p. 23.

¹³ *Statuta Ord. Cist.* 1195, no. 56 (Martene, *Thesaurus* iv, 1286).

¹⁴ The local tradition is that the masons went to Graiguenamanagh, as soon as they had completed the building at Jerpoint Abbey (Carrigan, iv, 294).

7.

Grant, with the consent of Hugh, bishop of Ossory, by R. de Bendeuille, archdeacon of Leighlin, of the tithes of Annamult to the convent of Duiske, for a rent of one silver mark annually.

Hec est conuentio facta et determinata consilio et assensu H. Ossiriensii episcopi inter abbatem et monachos Cisterciensis ordinis de domo Sancte Saluatoris quam dominus W. Marescallus fundauit in Osseria et R. de Bendeuille Leglinensem archidiaconum super decimis de Admolt: Scilicet quod dicti monachi tenebunt et libere et quiete possidebunt dictas decimas reddendo inde annuatim dicto R. archidiacono unam marcam argenti ad festum Sancti Michaelis uel infra quindecim dies.

Et ut hec conuentio rata et in posterum inconcussa permaneat predicti monachi parti cirographi, quam predictus R. habet, sigillum abbatis sui apposuerunt, et memoratus R. parti quam monachi habent sigillum suum apposuit, et sigillum domini H. Ossoriensis episcopi cum sigillo abbatis de Stanleche utrique parti apponi fecerunt.

The three seals attached to this instrument have disappeared.

For *Ralph de Bendeuille*, archdeacon of Leighlin, see p. 21. It is not apparent why he should have had any claim on the tithes of Annamult, which is in the middle of the diocese of Ossory. The grant was probably made about 1209.

8.

Grant by Odo, dean of Kilkenny and his chapter, at the presentation of Hugh, bishop of Ossory, to the convent of Duiske, of the vill of Tikerlevan, with the church, &c., for an annual rent to St. Canice's Cathedral of twenty shillings, to be paid half-yearly on St. Canice's Day (October 11) and Holy Cross Day (May 3).

Omnibus Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit O. Decanus de Kilkenni et ejusdem loci capitulum eternam in domino salutem. Sciatis nos concessisse et confirmasse ad presentationem venerabilis patris nostri domini Hugonis Ossoriensi Episcopi deo et ecclesie Sancte Marie de Abbatia Sancti Saluatoris et dilectis in Christo fratribus ibidem deo seruientibus totam uillam de Stachmakerlewan cum ecclesia illius uille et cum omnibus ad eam pertinentibus, habendam et tenendam in perpetuum integre plenarie et honorifice cum natiuis et omnibus libertatibus; reddendo inde annuatim matrieci ecclesie Ossoriensi uiginti solidos ad duos terminos pro omni seruicio et exactione uidelicet ad festum Sancti Kannici decem solidos et ad inuentionem Sancte Crucis decem.

Nos autem remisimus et quietum clamauius predictis fratribus clameum, quod habuimus aduersus ipsos de terra in uilla de Tulahhani.

Et ut hec nostre confirmationis pagina in posterum illibata permaneat eam presentis scripti testimonio et sigilli nostri appositione corroboravimus.

Hiis testibus Domino H. Lehhelinsi episcopo, Willelmo Marescallo comite Pembrok, O. Decano de Kilkenni, G. archidiacono Ossoriensi, O. Priore Sancti Johannis de Kilkenni, Roberto de Baligaucran et Normanno, capellanis, Magistro Edmundo, Ricardo de Ponte clerico, Thoma clerico, et multis aliis.

Ti-kerlevan, or *Stackmakerlevan*,¹ is near Coppenagh in the parish of Graiguenamanagh. This presentation is confirmed in later charters (nos. 23, 26, and 44).

As *Hugh le Rous*, bishop of Ossory (see p. 15), died in 1218, this instrument (of which the seal has disappeared) must have been executed before that year, but we can determine the date more exactly.

The earliest deans and archdeacons of Ossory are not accurately given in Cotton's *Fasti*, but the additional information now provided in the published Register of St. Thomas' Abbey enables us to get a little nearer to the facts, although precise dates cannot be fixed. Confusion has been caused² by forgetfulness of the circumstance that *Archidiaconus* often stands for the family name *l'Ercedekne* (see p. 15, above), and is not always the title of an ecclesiastic. Putting together the charters at pp. 135, 310, 314 of the Register of St. Thomas' Abbey, we reach the result that *Odo* or *Hugh* became Dean about 1216, and was succeeded by *William* in 1228. Of the Archdeacons, we have *Reginald* in 1205 and 1215, succeeded in the latter year by *Gilbert*, to whom followed *Odo* about 1223, and *Almaric* (see no. 31) in 1228.

Hence *Odo, dean of Kilkenny*,³ gives us 1216 as the earliest date for this instrument.

H., bishop of *Leighlin*, the first witness, was *Herlewin de Marisco*, a Cistercian monk, who died in 1217, and was buried in *Dunbrody Abbey*.⁴ This fixes the charter to the years 1216–1217.

William Marshal, earl of Pembroke (see p. 12), died in 1219. His residence from 1213 was mainly in England, but this deed must have been witnessed during a brief visit to his lands in Ireland.⁵ See the next charter (9).

Osbert, the prior of St. John's, Kilkenny, a house of Austin Canons, founded by *William Marshal senior*, appears at various dates between 1202 and 1227.⁶

Robert of Gowran appears several times as attesting charters of St. Thomas' Abbey.⁷ He is described variously as 'clericus' and as 'officialis Ossorie.'

Of the remaining witnesses, we know nothing. *Richard de Ponte* was probably 'Richard of Ross,' Ross being often called Ros-ponte at this period.

¹ The prefix *ta*, *ti*, is often corrupted into *sta*, *sti* in the eastern counties of Ireland: e.g. *Stillorgan* = Tigh-Lorcain.

² See, e.g., *Gilbert's note* in R.T.A., 135.

³ This is the older and more correct title. But for centuries the Dean of the Cathedral Church of St. Canice's has been called the "Dean of Ossory."

⁴ C.M.A. ii, 280.

⁵ See *Orpen*, ii, 218.

⁶ See Charters 9, 10, 13, 14, 23, 24, and R.T.A. 132, 303, 322, 323.

⁷ R.T.A. 132, 133, 136, 233, 313, and C.D.I. i, 1870 (under the year 1231).

9.

Convention made between Odo, dean of Kilkenny, with his Chapter and S. the abbot and convent of Duiske. The dean to hold the church of Tulachany with 15 acres of land in that vill with tithes of the crops of the monks, and one acre of meadow for the tithes, greater and lesser, of the hay of their farmers: at the dean's death, the said church and all tithes to revert to the convent. For this, the monks are to pay to St. Canice's one mark of silver annually, for all customs and exactions which belong to the Bishop of Ossory and his officials, saving the synodical dues.

Hec est conuentio facta inter Odonem decanum et capitulum de Kilkenni ex parte una et S. abbatem et conventum de Sancto Salvatore ex parte altera, in presentia domini H. Ossoriensis episcopi et illustris viri W. Marescalli Comitum Pembrok; quod uidelicet predictus O. decanus tenebit ecclesiam de Tolachhani et possidebit quod uixerit cum quindecim acris terre in eadem uilla ei assignatis, et decimis de frugibus monachorum in ipsa uilla prouenientibus, et una acra prati pro decimis feni, decimis quoque tam maioribus quam minoribus firmariorum et hominum suorum in eadem uilla manentium.

Postquam vero prefatus O. decanus in fata decesserit, abbas monasterii memorati et conuentus possidebunt ecclesiam memoratam de Tolachhani jure perpetuo et habebunt in usus proprios cum decimis et obuentionibus uniuersis ad eam pertinentibus; reddendo inde annuatim ecclesie cathedrali de Kilkenni unam marcam argenti ad duos terminos ad festum scilicet Inuentionis Sancte Crucis dimidiam marcam, et ad festum Sancti Kennicii dimidiam, pro omni consuetudine et exactione que uel ad episcopum Ossoriensem uel ad ejus officiales pertineat, saluis tamen sinodalibus.

Ut igitur hec conuentio inuiolabiliter in perpetuum perseueret tam episcopus Ossoriensis quam capitulum et abbas memoratus atque conuentus sigilla sua presenti cirographo in robur et munimen appenderunt.

Hiis testibus, Domino H. Ossoriensi episcopo, Domino W. Marescallo Comite Pembrok, Reginaldo priore de Kenles, Osberto priore de Sancto Johanne, Roberto de Baligauran, Nicholao capellano Comitum, Waltero capellano Comitisse, Willelmo Crasso, Odone Archidiacono, Waltero Purcel, Guidone de Cultura, Thoma de Druhelle, Philippo clerico, Thoma clerico, et multis aliis.

The fragments of two seals still adhere to this charter, which must be about the same date as no. 8, viz. 1216. It was granted in the presence of Hugh le Rous, bishop of Ossory (p. 15), and of William Marshal the elder (p. 12); and most of the witnesses have come before us in earlier charters. Thus *Osbert, prior of St. John's* and *Robert of Gowran* have appeared in no. 8; *Reginald, prior of Kells*, in no. 5 (p. 22); *William Crassus* in no. 2 (p. 16); *Odo Archdekyne* in no. 1 (p. 14); *Walter Purcell* in no. 3 (p. 21); *Guy de Cultura* and *Philip the clerk* in no. 2 (p. 17).

Thomas de Druhelle signed the Kilkenny charter of William Marshal the elder between 1207 and 1211;¹ and charters of his, concerning lands at Hacketstown, co. Carlow, are in the Register of St. Thomas' Abbey;² he attested other deeds in the same register at various dates between the years 1202 and 1218.³ For another member of the de Druhelle family see Charter 11.

10.

Confirmation by Hugh, bishop of Ossory, of the grant of the church of Tulachany, &c., set out in Charter no. 9.

Uniuersis Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit
H dei gratia Ossoriensis ecclesie minister eternam in domino salutem.

Ad uniuersitatis uestre uolumus noticiam peruenire nos ex cons . . . et consensu capituli nostri concessisse et presenti carta confirmasse abbati et monachis de Sancto Salvatore ecclesiam de Tolachhany cum decimis et obuentionibus uniuersis ad eam pertinentibus habendum post obitum Odonis decani de Kilkenni in usus proprios et possidendum in perpetuum libere et quiete; reddendo inde annuatim ecclesie cathedrali de Kilkenni post decessum predicti O. decani unam marcam argenti ad duos terminos scilicet ad festum Inuentionis Sancte Crucis dimidiam marcam et ad festum Sancti Kennicii dimidiam pro omni consuetudine et exactione que uel ad episcopum Ossoriensem uel ad ejus officiales pertineat, saluis tamen sinodalibus.

Predictus vero O. decanus tenebit et possidebit ecclesiam de Tolochhany memoratam quoad uixerit cum quindecim aeris terre in eadem uilla ei assignatis, et decimis de frugibus monachorum in ipsa uilla prouenientibus, et una aera prati pro decimis feni, decimis quoque tam maioribus quam minoribus firmariorum et hominum suorum in eadem uilla manentium.

Ut igitur hec concessio vestra et confirmatio inuiolabiliter in perpetuum perseueret eam scripti presentis attestazione et sigilli nostri appositione duximus roborandam.

Hiis testibus, Domino W. Marescallo comite Pembrok, Reginaldo priore de Kenlis, Osberto priore de Sancto Johanne, Roberto de Baligauran, Nichola capellano comitis, Waltero capellano comitis, Willelmo Crasso, Odone Archidiacono, Waltero Purcel, Guidone de Cultura, Thoma de Druhelle, Philippo clerico, Thoma clerico, et multis aliis.

This deed is witnessed by the same persons as no. 9, and it was probably executed on the same day and at the same place. There is a memorandum of it in F.

¹ *Chartae*, &c., p. 34.

² R.T.A. 128, 312.

³ R.T.A. 125, 126, 135, 310, 355.

11.

Grant, for the good of his soul, &c., by Richard of Flanders, free of all payment and service, of two acres in Tulachany, adjoining the abbey lands, and bounded on the west by the land of William de Valle.

Universis Sancte Matris Ecclesie filiis ad quos presens scriptum pervenerit Ricardus Flandrensis eternam in domino salutem.

Noveritis me ad honorem Dei et Beate Marie et omnium sanctorum pro salute anime mee et uxoris mee et liberorum meorum et successorum meorum dedisse et hac presenti carta mea confirmasse abbacie de Valle Sancti Salvatoris in puram et perpetuam elemosinam duas acras terre que iacent in angulo quodam iuxta terram dicte abbacie in Tulaghkenny, et non sunt diuise per aliquid fassatum ab illa terra; habent quoque a parte sui occidentali terram Willelmi de Valle.

Volo igitur ut predicta abbatia habeat et teneat in perpetuum predictas duas acras liberas et quietas ab omni seruicio et exactione seculari que uel ad me uel ad heredes meos possit pertinere. Et ego et heredes mei warrantabimus predictas duas acras abbacie prefate contra omnes homines et contra omnes feminas.

Ut igitur hec mea donatio et elemosina firma et stabilis perpetuo perseueret presenti scripto sigillum meum apposui.

Hiis testibus, Henrico, capellano de Karleski, Reginaldo capellano de Kiltrani, Radulpho capellano de Villa, Giliberto de Valle, Willelmo de Druhelle, Thoma persona de Kallan, Willelmo Maillardo, et multis aliis.

Hoc autem in fine nosse uos uolo quod predictae due acre sunt de meo libero conquesto.

The seal of *Richard of Flanders* is gone. His grant is confirmed in Charter no. 15 about 1225, where also we meet his son Matthew. John of Flanders, "miles," i.e. Knight, witnessed John Fitz Geoffrey's charter to Kells, which must be dated after 1234, as it seems to have been executed after William Fitz Geoffrey's death in that year.¹

William de Valle and *Gilbert de Valle* were members of the family who held Marshal lands at Tulachany (see p. 20, above). Both names appear in one of the Christ Church deeds at Dublin (no. 25) about the year 1218, and the same persons are probably indicated here. *Gilbert de Valle* was a brother of Stephen de Valle, and apparently a nephew of the Alan de Valle with whom we have met in Charter 3. They were contemporaries of Alan Beg.²

Of *Henry, the chaplain of Cahirleske*, we know nothing. Cahirleske is near Ballaghtobin, south of Kells in co. Kilkenny.

Reginald, chaplain of Kiltrani, may be the same person as "Reginald the chaplain" who witnessed John Fitz Geoffrey's charter to Kells after 1234. *Kiltrani*

¹ The Charter is printed (and wrongly dated, as Mr. Orpen has pointed out) in *Chartae*, &c., p. 17.

² See above, p. 11, and R.T.A. 107.

is the name given in the Red Book of Ossory to the parish of Burnchurch, not far from Kells, co. Kilkenny.

Randolph, chaplain of Villa, is unknown. Perhaps *Villa* may stand for the vill of Kells.

The remaining three witnesses are often associated. In 1215 William Fitz Geoffrey gave a charter to Kells,¹ which was witnessed by *William Maillard* (who was William Marshal senior's standard-bearer, and was given lands at Mallards-town, between Callan and Kells) and by *Thomas the parson of Callan*.

About 1220 William de Druhelle senior granted some tithes of Jenkinstown² to St. John's, Kilkenny, among the witnesses being *William de Druhelle junior* and *Thomas the parson of Callan*. In 1223 William Marshal junior gave a charter to St. John's, Kilkenny,³ which was witnessed by *William Maillard* and *William de Druhelle*. In 1227 *William de Druhelle*, knight, and *Thomas rector of Callan* appear together again (no. 23, below). And we find *Thomas rector of Callan*⁴ in deeds dated about 1232 (nos. 43, 44).

Putting together these data, we may fix the date of the instrument before us as about 1221. The *William de Druhelle* indicated was seemingly the younger of the two persons of that name.

The note at the end of the charter, from which it appears that the lands granted are free of all service, having been gained 'by free conquest,' is interesting.

Mention must here be made of a charter not now extant, of which a *précis* is given in the extracts from the Duiske Registers (E) as follows:

"Carta Willelmi Marescalli comitis Pemb: Teste domino Th. pincerna Hiberniae, Mauricio filio Ger., Willelmo Crasso primoque tunc senescallo Lagenie."

The persons here named can be readily identified from the date of the last mentioned, *William Crassus* or le Gras, whom we have met with before (p. 16). He was seneschal of Leinster after the year 1219, the year when William Marshal the elder (p. 12) died.

This William Marshal had five sons, all of whom died childless, and his great Irish possessions were, in consequence, divided among his five daughters about the year 1246. It will be convenient to note here the main points of the pedigree, for future reference:

William Marshal the elder (d. 1219) and his wife Isabella de Clare (d. 1220) had issue:

1. *William Marshal the younger* (d. 1231), who married Eleanor, sister of Henry III.

¹ *Chartae*, &c., p. 16.

² Carrigan, iii, 249.

³ Dugdale, vi, 1143; see Orpen, *l.c.* ii, 229.

⁴ He appears also in deeds of the same period quoted in Butler, *Registrum prioratus omnium sanctorum juxta Dublin*, pp. 16, 23.

2. Richard Marshal (d. 1234).

3. Gilbert Marshal (d. 1241).

4. Walter Marshal (d. 1245).

5. Anselm Marshal (d. 1245).

6. Matilda Marshal (d. 1248), who married Hugh Bigod, earl of Norfolk (d. 1225), and subsequently William de Warrene, earl of Warrene and Surrey. Her portion of the Leinster lands included the Baronies of Forth, St. Mullins, and the Island in the counties of Carlow and Wexford. She had four sons—Roger Bigod, earl of Norfolk, Marshal of England (d. 1270); and Hugh (d. 1264), whose son Roger Bigod the second succeeded to the earldom and died in 1306; Ralph Bigod; and John Warrene.

7. Isabella Marshal, who married Gilbert de Clare, earl of Gloucester. Her estates were in co. Kilkenny, and subsequently came to James, 3rd Earl of Ormonde, in 1391.

8. Sibilla Marshal, who married William de Ferrers, Earl of Derby. Her portion was mainly in co. Kildare.

9. Eva Marshal, who married William, son of Reginald de Braose. The territory of Leix was assigned to her.

10. Joanna Marshal, who married Warin de Mount Chesney. Her portion was chiefly in co. Wexford.

The grantor of the charter here under consideration was *William Marshal the younger*, who died in 1231, and its date was probably about 1220.

We next come to Theobald Walter. There were four of that name. The first Theobald Walter (son of Hervey Walter and brother of Hubert Walter, archbishop of Canterbury) came to Ireland in the train of Henry II. He was rewarded for his services with large estates and was created hereditary Chief Butler (*pincerna*) of Ireland—an office which still gives its name to the great house of Ormonde. This first Theobald Walter died in 1206, and left by his second wife Matilda de Vavasour,

1. *Theobald Walter the second* (b. 1200, d. 1230).

He also left, by a former wife,

2. Beatrice Walter, who married—*first*, Thomas de Hereford; *secondly*, Hugh Purcell (see p. 86).

3. Matilda Walter, who married Gerald de Prendergast.

It was *Theobald Walter the second* who was witness to the charter before us. He left a son, Theobald Walter the third (d. 1248), who in his turn had issue Theobald Walter the fourth (d. 1285).

The other witness was *Maurice Fitz Gerald*, second Baron Offaly, who died in 1257.

12.

Confirmation, for the good of his soul and the souls of his parents, by William Marshal the younger, earl of Pembroke, to the convent of Duiske, of the lands of Duiske, Annamult, Tulachany, Clundaf, Kilneggeth, Liscrithan, with burgages in Kilkenny, Wexford, and the Island, granted by his father.

Willelmus Marecallus Comes Pembroke uniuersis hominibus suis, Francis, et Anglis, Walensibus, et Hybernensibus, et omnibus amicis et fidelibus suis salutem.

Sciatis nos pro amore Dei et pro salute anime nostre et pro salute animarum patris nostri W. Marecalli Comitis Pembroke, et matris nostre Comitisse Ysabel, atque omnium predecessorum ac successorum nostrorum, concessisse et hac presenti carta nostra confirmasse abbacie Sancti Saluatoris de ordine Monachorum Cisterciensium in terra Dowiskir donationes omnium terrarum et possessionum cum libertatibus omnibus et liberis consuetudinibus quas predictus pater noster eidem abbacie in puram et perpetuam elemosinam dedit et incartauit; scilicet totam illam terram Dowiskir cum pertinentiis suis, et Athenemolt pro undecim carrucatis terre, et Tulachkenni cum pertinentiis suis, scilicet Clundaf et Kilmeggeth et Liscrithan iuxta Kilkenny, pro decem carrucatis terre, unum quoque burgagium in Kilkenny, et aliud in Weseford, et tertium in Insula, et preterea quicquid ei poterit in futuro pia donatione seu uenditione fidelium, saluo seruitio nostro et heredum nostrorum peruenire.

Volumus igitur et firmiter statuimus ut abbacia pronominata et abbas et monachi ipsius loci habeant et teneant omnes predictas terras et tementa pronominata cum ecclesiis et capellis et omnibus libertatibus et liberis consuetudinibus suis cum socha et sacha et toln et theam et infangenetheof bene et in pace libere et quiete plenarie et integre et honorifice; In bosco et in plano, in pratis et pasturis, in aquis et molendinis, in stagnis et uiuariis, in mariscis et piscariis et gliscris, in grangiis et uirgultis, in uiis et semitis, infra burgum et extra et in omnibus aliis locis et rebus; et sint quieti ipsi et homines et seruiantes sui et res et possessiones eorum de geld et denegeld et mурdro et latrocinio et de pecunia que ad mурdrum pertinet uel ad latrocinium et de uaccarum solutione quam dare solebant pro capitibus utlogorum, et de scuagio et hidagio et carruagio, et cornagio et summagio et hutiban et scyris et hundredis et de sectis scyrarum et hundredum et de exercitibus et assisis et summonitionibus et de tesauo ducendo et de auxiliis uicecomitum et omnium seruientum suorum et omnibus aliis auxiliis et de operationibus castellorum et pontium et parcorum et murorum et uiuariorum et de misericordia comitatus et de teloneo et pontagio et passagio et passagio† et lestagio et stallagio et tallagio et de clausuris et de werdpenni et hauerpenni et thethingpenni et blodwite et fichtwite et hengwite et flemeneswite.

Et sit ipsa abbatia cum omnibus tenementis suis extra forestam et omnino sine riguardo forestarie, et liceat eisdem monachis de boscho et in omni bosco suo de aquis et in aquis suis quicquid uoluerint facere et sint liberi ab omni uexatione et penitus extra dangerium forestariorum et omnium aliorum seruientum terre de pastu uidelicet et omnibus aliis exactionibus quas forestarii et alii seruientes terre solent exigere, et de omnibus querelis et placitis et occasionibus et consuetudinibus et de omni seruii opere et seculari exactione.

Et habeant sibi omnimodam forisfacturam propriorum hominum suorum, sola iusticia uite et membrorum nobis et heredibus nostris retenta, et per omnes forestas nostras pasturam habeant porcorum suorum quietam a pannagio, et quicquid ad ardendum et ad edificandum habuerint necessarium.

Siquis uero uel in presenti uel in futuro quicquam de his que predictae abbacie concessimus et confirmauimus calumpniatus fuerit non tenebuntur inde monachi respondere, set ad nos pertinebit et ad heredes nostros calumpniatoribus eorum uel excambio uel alio rationabili modo satisfacere monachis, que quicquid eis pater noster donauit garantizare et integrum conseruare.

Districte ergo prohibemus super forisfacturam nostram uidelicet decem marcarum, ne quis eos uel homines suos aut seruientes suos aut res aut possessiones eorum maliciose uexet an grauet uel in aliqua re disturbet.

Volentes igitur hanc concessionis nostre et confirmationis paginam ratam in perpetuum et stabilem permanere sigillum nostrum eidem apposimus.

His testibus, Domino Petro Ossoriensi episcopo, Johanne Marescallo, Thoma filio Antonii tunc senescallo Iagenie, Fulcone filio Warini, Henrico le Buteillier, Waltero Purcel, Willelmo Crasso utroque, Hamone Crasso, Henrico de Kernet, Reginaldo de Kernet, Magistro Deodato, et Magistro Henrico, clericis domini comitis, et multis aliis.

This charter, which was of great importance to the Abbey (see no. 56, below), has lost its seal. It is the Confirmation of his father's grants by William Marshal the younger (see p. 31); and, from the names of the witnesses, it must be of approximately the same date as his charters to Kilkenny,¹ Carlow,² and St. John's Priory, Kilkenny,³ and may be set down as of the year 1223.⁴

Peter Malveisin, although elected in 1218, was not consecrated to the bishopric of Ossory until the end of 1221 or the beginning of 1222.⁵ He died in 1230 or 1231.

We have had before *John Marshal* (p. 15), *Thomas Fitz Antony* (p. 15), and *Walter Purcell* (p. 21), all of whom witnessed the Foundation Charter of the elder William Marshal.

The attestation "*Willelmo Crasso utroque*" seems to mean that *both* the brothers called *William Crassus* (see p. 16) were present on this occasion.

¹ *Chartae*, &c., p. 34.

² *Chartae*, &c., p. 38.

³ Carrigan, iii, 249.

⁴ Another of William Marshal's charters with many of the same witnesses is found in R.T.A. 119.

⁵ Carrigan, i, 35.

Hamo Crassus is often associated with his brother as a witness.¹

Fulk Fitz Warin married Matilda, the widow of Theobald Walter the first (see p. 32) in 1207, and he appears as one of the Marshal tenants in 1246.² A letter from him to Hubert de Burgh, justiciar, is extant.³

There is a charter of *Henry le Butler* in the Register of St. Thomas' Abbey.⁴

Reginald de Kernet and *Henry de Kernet* appear again in Charter 16. Reginald also signs Charter 46 as Sheriff of Kilkenny about 1233. Henry appears in an unpublished Kells charter of date about 1240; his wife's name was Claricia.

Master Deodatus, one of the earl's clerks, signed his charter to Kilkenny in 1223. His signature is not attached to the later charter to Carlow. It is possible that he is to be identified with the Deodatus who became bishop of Meath in 1224, but there is no direct evidence.

Master Henry, another of the earl's clerks, signed his Carlow charter.

In the Extracts from the Duiske registers (EL) we have a record of an acquisition of land by the convent in the year 1223, which should be noted at this point.

At the end of the twelfth century a Benedictine priory was founded at Glasscarrig, near Gorey, co. Wexford, from the Abbey of St. Dogmael's in Pembrokeshire. And in the year 1223 (as appears from the name of John [St. John] bishop-elect of Ferns, as a witness) two carucates of land in Bantry, which had been granted to Glasscarrig Priory by Adam de Caunteton (see p. 21), were transferred to the abbey of Duiske (see no. 41), by an agreement made by Andrew, abbot of St. Dogmael's, between the Prior of Glasscarrig and Thomas the abbot of Duiske. Besides John St. John, two other witnesses are named in the *précis* in E, viz., William de Caunteton senior, who was Lord of Glasscarrig (p. 21), and Richard Prendergast (see p. 42, below).

13.

Grant, for the good of his soul, &c., by Alan Beg, with the consent of William de Caunteton and his wife, Cecilia, daughter and heiress of the said Alan, to the convent of Duiske, of the church of Duntnac-tathec in Idrone, with consecrated ground of twelve acres, also of the chapel of Rathkenny, with its consecrated ground, and the chapel of Rathsenboth in Forth, with consecrated ground of twelve acres.

Omnibus Sancte Matris Ecclesie filiis ad quos presens scriptum pervenerit Alanus Beg eternam in domino salutem.

Sciatis quod ego, pro salute anime mee et uxoris mee Neste, et omnium

¹ William Crassus senior and Hamo Crassus attested in 1222 the charter of William Marshal the younger, confirming the foundation of Tintern in Monmouthshire (Dugdale, *Monasticon*, v, 267).

² C.M.A. ii, 404

³ *Royal Letters Henry III*, vol. i, p. 305.

⁴ p. 138.

predecessorum parentum meorum ac liberorum et aliorum successorum meorum, assensu et voluntate Willelmi de Kantintune et uxoris sue Cecilie filie mee, heredum scilicet meorum, dedi et concessi quantum pertinet ad jus patroni et hac presenti carta mea confirmaui abbacie Beate Marie de Valle Sancti Saluatoris que est de ordine Cisterciensi ad sustentationem abbatis et monachorum ibidem Deo seruientium, ecclesiam de Duntnactathec in Odrone cum terra sanctuarii, scilicet duodecim acris et cum omnibus ad eandem ecclesiam pertinentibus, uidelicet capellam de Rathkenny cum terra sanctuarii et aliis pertinentiis suis, capellam quoque de Rathsenboth in Fodhred eisdem concessi cum terra sanctuarii scilicet duodecim acris et cum omnibus pertinentiis suis.

Volo igitur et firmiter statuo ut prememoratus abbas et conventus de Valle Sancti Saluatoris habeant et teneant prenominata beneficia ecclesiastica in puram et perpetuam elemosinam ab omni exactione quantum ad jus patroni pertinet libera omnimodis et quieti. Et ego heredes mei warantizabimus eadem beneficia abbati et monachis eisdem contra omnes homines in quantum potest patronus warantizare.

Ut igitur hec mea donatio et concessio rata in perpetuum et stabilis permaneat presens scriptum censui in testimonium tam sigillii mei quam predicti Willelmi de Kantintune munimine roborandum.

His testibus, Domino Theobaldo Pincerna Hybernice, Willelmo Crasso primogenito tunc senescallo Lagenie, Hamone Crasso fratre ipsius, Ricardo Pincerna, Nicholao le Marchis, Osberto priore Sancti Johannis de Kilkenni, Alueredo priore de Instioc, Randolpho persona de Baligauran, et multis aliis.

One of the two seals of this charter is preserved. The grant was of great value (there is a note of it in E) ; it was confirmed in 1249 and again in 1262, as appears from notes in E as follows :—

“ Charta W. Leighl : episc : (cuius in superiori facta mentio) an. 1249 pontificatus nostri 21. Confirmatio charte Alani Beg patroni ecclesie Dunmactaydg per Lucam Dublin : archiep : ”

William (1228–1251) is the bishop of Leighlin indicated, and Luke (1228–1255) was the archbishop of Dublin. See p. 72.

And again :

“ Charta confirmationis (super eodem) T. Leghlin : episc : ad confirmationem doni et instrumenti bonae memoriae W. predecessoris nostri. Dat : anno gratie 1262, pontificatus nostri anno 10.”

This was the confirmation by Bishop Thomas of Leighlin (1252–1275) of Bishop William's instrument. See nos. 49 and 68, *infra*.

We have already met with *Alan Beg* (p. 11) and his son-in-law *William de Caunteton* (p. 21).

The church of *Duntnactathec* may perhaps, as Mr. Orpen suggests, be identified with the “ecclesia de villa Alani,” mentioned in the Ecclesiastical

Taxation of Idrone.¹ He thinks this may have been Ballyellin, near Ullard (see no. 14).

*Rathkenny*² was the name of a church on the estate (apparently in co. Meath) of Nicholas le Petit in 1229.

Rathsenboth in the barony of Forth may, perhaps, be identified with Temple-shanbo, in co. Wexford, the root of both being the word *seanbotha*, which means "old huts."

We have already had several of the witnesses: *Theobald Walter* the second (p. 32); *William Crassus* senior (p. 16), who appears here as seneschal of Leinster, an office which we know he held in 1224;³ *Hamo Crassus* (p. 55); *Osbert*, prior of St. John's, Kilkenny (p. 27); and *Ralph*, the parson of Gowran (p. 11).

Ricardus Pincerna was probably connected somehow with the Walters, and perhaps we should call him Richard Fitz Walter (see p. 42). He attested, along with Thomas Fitz Antony (see p. 15), a grant by one Simon Power, which is included in the Register of St. Thomas' Abbey.⁴

The priory of *Inistioge* was founded for Austin canons, by Thomas Fitz Antony about 1210, and *Alured* of the priory of Keils, formerly of Bodmin (see p. 22), was chosen as the first prior of the new house. He witnesses several of our charters,⁵ the latest in date being nos. 43, 44, about the year 1232. A fine stone effigy is still preserved in Inistioge church, which is thought to represent Alured, and to have been placed over his grave.⁶

Nicholas le Marchis or *Marsh* (see no. 42) was the owner of a fish-pond in the river Barrow, and probably held land adjoining.

The date of this charter (no. 13) is about 1224.

14.

Grant, for the good of his soul, &c., by Alan Beg, with the consent of William de Caunteton and his wife Cecilia, daughter and heiress of the said Alan, to the convent of Duiske (in the abbey of which he chooses a burial-place for himself), of half the church of Ullard, viz., all its tithes from his holdings in that vill.

Omnibus Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit Alanus Beg eternam in domino salutem.

Sciatis quod ego pro salute anime mee et uxoris mee Neste et omnium parentum predecessorum ac successorum meorum assensu et uoluntate Willelmi de Kantintune et uxoris sue Cecilie filie mee, heredum scilicet meorum, dedi et concessi, quantum ad ius pertinet patroni, et hac presenti carta mea confirmaui abbacie beate Marie de Valle Sancti Saluatoris ad sustentationem abbatis et monachorum ibidem deo seruientium medietatem ecclesie de Erard, scilicet decimas omnes et obuentiones ad eandem ecclesiam de terra quam in eadem

¹ C.D.I. v, p. 250. Odrone or Idrone (*Ui Drona*) is a large district in co. Carlow.

² C.D.I. i, 1673, 2037, 2163.

³ *Gormanston Reg.*, f. 209. He also held it in or after 1235 (*ibid.*, f. 208).

⁴ R.T.A. 208. ⁵ See R.T.A. 133 for a charter granted by him.

Carrigan, iv, 113.

habeo uilla pertinentes, liberas et quietas ab omni exactione quantum ad ius patroni pertinet in puram et perpetuam elemosinam possidendas.

Et ego et heredes mei warantizabimus easdem decimas prefatis abbati et monachis contra omnes homines in quantum potest patronus warantizare.

Elegi etiam mihi in eadem abbazia cum obiero sepulturam, unde et me ipsum super eiusdem abbacie obtuli altare.

Ut igitur predicta donatio mea et concessio rata in perpetuum et stabilis permaneat presens scriptum in testimonium censui tam sigilli mei quam predicti Willelmi de Kantintune munimine roborandum.

Hiis testibus, Domino Theobaldo Pincerna Hybernice, Willelmo Crasso primogenito tunc Senescallo Lagenie, Willelmo Crasso iuniore, et Hamone Crasso fratribus ipsius, Ricardo Pincerna, Nicholao le Marchis, Osberto Priore Sancti Johannis de Kilkenni, Alueredo priore de Instioc, Randolpho persona de Baligauran, et multis aliis.

Both the seals have disappeared from this charter, which is of the same character and must be of the same date as no. 13, viz. 1224. The witnesses are the same, with the addition of *William Crassus* junior, whom we have had before (see p. 17), and who frequently attested the charters of William Marshal the younger.¹

Erard or *Ullard*, as it is now called, was a prebendal church in the diocese of Leighlin, about three miles to the north of the abbey of Graiguenamanagh or Duiske. An interesting doorway still remains among its ruins.

Among the Patent Rolls of 1225 [m 4] there are Letters of Protection for two years for men and things belonging to the Abbot of 'Dus,' which come into England.

15.

Confirmation to the convent of Duiske by William Fitz Maurice, for the good of his soul, &c., of two acres of land, granted them by Richard of Flanders; and also of four acres adjoining on the east, granted by Matthew, the son of Richard: reserving the service which Richard and Matthew are bound to pay on behalf of the monks.

Omnibus ad quos presens scriptum peruenerit Willelmus filius Mauricii eternam in domino salutem.

Nouerit uniuersitas uestra me pro salute anime mee et uxoris mee ac liberorum nostrorum et antecessorum et successorum nostrorum concessisse et hac presenti carta mea confirmasse Deo et Sancte Marie et abbacie de Valle Sancti Saluatoris ordinis Cisterciensis et monachis ibidem Deo seruientibus duas acras terre quas eis Ricardus Flandrensis dedit et incartauit, que iacent in angulo quodam iuxta terram dicte abbacie in Thulachenni et non

¹ See *Chartae* 34, 38; Carrigan, iii, 249; R.T.A. 119, 357

sunt diuise per aliquod fossatum ab illa terra; habent quoque a parte sui occidentali terram Willelmi de Valle:

Insuper eciam quatuor acras terre quas eisdem dedit et incartauit Matheus filius Ricardi Flandrensis, que iacent propinquiores duabus acris predictis ex parte orientali, et que sunt propriiores terre dictorum monachorum ex parte meridionali, tenendas et habendas in puram et perpetuam elemosinam de me et heredibus meis libere et quiete ab omni seruicio et exactione et demanda ad me uel ad heredes meos pertinente, saluo seruicio tante terre quod mihi et heredibus meis predicti Ricardus Flandrensis et Matheus filius eius et eorum heredes pro monachis tenentur soluere, et saluis decimis ecclesiasticis.

Ut autem hec mea concessio et confirmatio stabilis in perpetuum perseueret presentem cartam sigilli mei appositione roborauit.

Hiis testibus, Willelmo Crasso primogenito, Willelmo Crasso juniore, Willelmo de Sancto Leodegario, Reimundo de Valle, Thoma de Kallan, Mauricio fratre meo, et aliis.

This is a confirmation of no. 11 by the over-lord, *William Fitz Maurice*. It may be dated about 1225.

William Fitz Maurice and his brother *Maurice Fitz Maurice* (who is a witness) were probably the sons of Maurice Fitz Maurice, 1st baron of Kiltrany.¹ The younger brother, Maurice, was baron of Kiltrany, and was drowned in 1268.² He was a witness to William Fitz Geoffrey's charter to Kells in 1215.³

We have met already the two brothers *William Crassus* or le Gras (pp. 17, 38); *William de St. Leger* (p. 21); and *Thomas de Callan* (p. 31).

For the family of *de Valle* cf. pp. 20, 30. *Reymund de Valle* appears about 1210,⁴ and again between 1231 and 1243.⁵

16.

Grant by Richard de Marisco, for the good of his soul and of the soul of his wife Beatrice, &c., to the convent of Duiske, of three carucates of his land near Rathboghal, at a rent of ten shillings and gauntlets which he owes to his lords; but if his lords relieve him from the foreign service which goes with the land, he gives it to the convent without rent, and with liberty to have wood for buildings and licence for feeding forty hogs and pasture for twelve cows.

Uniuersis Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit Ricardus de Marisco salutem in domino.

Nouerit uniuersitas uestra quod ego pro salute anime mee et Beatricis uxoris mee et liberorum nostrorum necnon et omnium parentum nostrorum predecessorum et successorum dedi et concessi et hac presenti carta mea confirmaui ad honorem Dei et beate Matris eius omniumque sanctorum

See Burtchaell, *Journal R.S.A.I.*, 1892, pp. 362-3.

² C.M.A. ii, 290, 316.

³ *Chartae*, &c., p. 17.

⁴ R.T.A. 120.

⁵ R.T.A. 186.

abbati et conuentui de Valle Sancti Saluatoris terram meam que dicitur Rathboghel et iacet pro tribus carrucatis terre, habendam et tenendam libere et quiete in puram et perpetuam elemosinam, saluo redditu decem solidorum et quarundam cirotecarum quem debeo dominis meis de eadem terra, et saluo forinseco seruitio quod ad terram pertinet eandem.

Si uero domini mei predictum seruitium relaxauerint et redditum, maneant et monachi predicti inde liberi in perpetuum. Concessi etiam monachis eisdem com[munam] in bosco meo ut libere capiant in eo ligna quantum opus habuerint ad ignem et ad edificia sibi [construen]da, pannagium quoque quadraginta porcorum liberum in perpetuum et pasturam duodecim uaccarum

.....

Volo igitur et firmiter statuo ut predictus conuentus de Valle Sancti Saluatoris habeat et teneat predictam terram sicut prediffinitum est liberam in perpetuum et quietam ab omni seruitio et exactione, que uel ad me uel ad heredes meos possit pertinere. Ego autem et heredes mei warantizabimus predictam terram conuentui memorato contra omnes homines et contra omnes feminas.

Ut igitur hec mea donatio et concessio rata in perpetuum et stabilis permaneat in ipsius testimonium presenti scripto meum appendi sigillum.

Hiis testibus, Nicholao de Ynteberghe, Henrico de Kernet, Reginaldo de Kernet, Roberto de Kaerdif, Rogero Russel, Philippo de Ynteberghe, Nicholao le Marchis, Symone Lupo, Ricardo Talun, et multis aliis.

Charters 17, 18, 41, 79 are all concerned with the land of *Rathboghhal* or *Rathbachlach* (*Rath bachaill*?) in the barony of Bantry, co. Wexford, of which the overlord was Philip de Prendergast. Perhaps, as Mr. Goddard Orpen suggests, we should identify *Rathboghhal* with his demesne of Monksgrange, 10 miles from Enniscorthy.

No. 16 must be prior to no. 17, which again seems to have been executed before the death of Philip de Prendergast in 1229 (p. 21). It may be dated about 1226.

Richard de Marisco or *Marsh* is, along with Raymund de Valle (p. 39), witness to a charter executed between 1223 and 1243.¹ He is described as "dominus Ricardus de Marisco, miles," i.e. knight, in no. 79.

For *Nicholas de Hinteberg* see p. 17. *Philip de Hinteberg* appears again about 1243.² The *de Kernets* we have had already (p. 35) about 1223; and also *Nicholas le Marchis* or *Marsh* (p. 37) about 1224.

Robert de Cardiff or *Kerdylf*, who was a knight (*miles*), and owned lands in the neighbourhood of St. Mullins, co. Carlow (see nos. 46, 47, 48), appears in a dated charter of 1227 (no. 23). He is perhaps to be identified with 'R. de Cardiff' who appears about 1229 in one of the deeds of Christ Church, Dublin.³ A Robert de Cardiff, probably of the same family, was Provost of New Ross in 1285.⁴

Roger Russell also appears again in nos. 46, 47.

Richard Talun or *Tallon* witnessed a charter of Thomas Fitz Antony,⁵ which must have been executed before the latter's death in 1229 (see p. 15).

¹ R.T.A. 189; cf. C.D.I. i, 2651, 2678.

² C.D.I. i, 2629; see p. 107, *infra*.

³ No. 29.

⁴ See Hore's *New Ross*, p. 151.

⁵ C.M.A. ii, 191.

17.

Confirmation by Roger Galgheil, for the good of his soul and of the soul of Eleanor his wife, of the grant by Richard de Marisco to the convent of Duiske, of three carucates at Rathboghal in Bantry, which the said Roger held from the lord Philip de Prendergast, and Richard de Marisco from him.

Omnibus ad quos presens scriptum peruenerit Rogerus Galgheil salutem in domino.

Sciatis quod ego pro salute anime mee et Alianor uxoris mee ac liberorum nostrorum concessi et hac presenti carta mea confirmaui donationem quam Ricardus de Marisco fecit abbacie de Valle Sancti Saluatoris de terra que dicitur Rathbaglach et iacet pro tribus carrucatis terre in Bentrie quam ego tenui de domino meo Philippo de Prendergast et predictus Ricardus de me; quietunque clamaui memorate abbacie quicquid iuris uel redditus pertinebat ad me et ad heredes meos de terra memorata, quatinus abbatia predicta terram illam liberam in perpetuum et quietam ab omni exactione possideat.

In huius concessionis mee testimonium scripto presenti sigillum meum apposui.

His testibus, Philippo, Willelmo, et Philippo, filiis meis, Reginaldo Albo de Bristollo, Johanne filio eius, Henrico filio Henrici de Kildauan, et multis aliis.

This deed is concerned with the same grant as nos. 16 and 18, and may be assigned to the year 1226 or thereabouts.

Richard de Marisco or *Marsh* held the land of Rathboghal directly from *Roger Galgheil*, whose overlord was *Philip de Prendergast* (see p. 21). The consents of all three were necessary, if the convent was to be put into secure possession of the large tract of land which was transferred.

We meet some eighty years later with one John Galgal of Ballygally, who held land near New Ross of Roger Bigod, earl of Norfolk,¹ and he was probably of the same family as Roger Galgheil. This Roger had three sons, *Philip*, *William*, and *Philip*, who attest the grant.

Of *Reginald Albus*, or White, of Bristol, and his son John, we can discover nothing. *Henry Fitz Henry* of Kildavan (which is on the borders of co. Carlow and co. Wexford) may possibly be the man of that name who was seneschal of co. Wexford in 1259.² A Henry Fitz Henry also attested William Fitz Geoffrey's charter to Kells in 1215.³

¹ Hore's *New Ross*, 169.

² See no. 62.

³ *Chartae*, &c., p. 17.

18.

Grant by Philip de Prendergast and Matilda de Quency his wife, for the good of their souls, &c., to the convent of Duiske, of Rathboghmal in Bantry, with three carucates of land in fee, which Roger Galgheil held from the said Philip and which was given by Richard de Marisco to the said convent.

Uniuersis Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit Philippus de Prendelgast eternam in domino salutem.

Nouerit uniuersitas uestra me, pro salute anime mee et anime Matildis de Quinci uxoris mee et antecessorum et successorum nostrorum, ex consensu et uoluntate predictae Matildis de Quinci uxoris mee, concessisse et hac presenti carta mea confirmasse Deo et abbacie beate Marie de Valle Sancti Saluatoris et monachis ibidem Deo seruientibus Rathbachelach cum tribus carrucatis terre in feodo de Bentry; scilicet illam quam Rogerus Galgeyhel tenuit de me et Ricardus de Marisco eisdem monachis dedit, et incartauit.

Preterea dedi et concessi et confirmaui memoratis monachis redditum et omne seruitium quod ad me uel ad heredes meos de terra predicta pertinebat in puram et perpetuam elemosinam.

Volo igitur ut predicti monachi habeant et teneant dictam terram plenarie et integre libere et quiete ab omni seruitio seculari et exactione.

Et ut hec donatio mea concessio et confirmatio stabilis et inconcussa in perpetuum permaneat presenti scripto sigillum meum apposui.

Hiis testibus, Ricardo de Prendelgast, Ricardo de Huscard, Roberto de Huscard, Willelmo de Prendelgast, Radolpho de Sumeri, Roberto Lupo, Ricardo de Marisco, R. filio Walteri, Th. Boscher, Ada Cod, A. clerico, et multis aliis.

The seal is still attached to this instrument¹ (see Plate II).

For *Philip de Prendergast* and *Matilda de Quency* his wife, see p. 21. He held the Duffrey estates in co. Wexford. *Richard de Prendergast*, who must have been one of the same family, and *Adam Cod* (a Wexford name), appear elsewhere as attesting a deed in the Register of St. Thomas' Abbey.² *William de Prendergast* appears again about 1230 and 1259.³

The name of *Huskard* survives in the parish of Ballyhuskard, in the barony of Ballaghkeen, co. Wexford; and *Robert de Huskard* and *Thomas Boscher* appear as holders of land near New Ross in the deforestation charter of Richard Marshal, earl of Pembroke (p. 32), in 1233.

For *Richard de Marisco* see p. 40. Perhaps we may equate *R. Fitz Walter* with *Ricardus Pincerna* of Charter 13 (see p. 37).

Robert Lupus or de Low appears again in a deed relating to co. Wexford; cf. p. 15. *A. the clerk* may be 'Augustine, the clerk,' who attests charters about the same date.⁵

¹ There is a note of this charter in E.

² R.T.A. 185.

³ Charters 38 and 62. See also R.T.A. 186, 189.

⁴ Hore's *Ferns*, p. 350.

⁵ R.T.A. 186, 189.

The co. Wexford family of *De Sumeri* or Sutton appear half a dozen times in the Duiske charters (see nos. 36, 38, 41, 50, 51). There were three brothers, Adam (whose wife was Clare), Ralph, and David. Of these, Adam had four sons, Robert, David (whose wife was Margaret), Ralph, and William. We shall meet with them all again. Here we have as a witness, the elder *Ralph de Sumeri*: he appears elsewhere¹ before 1224, and in 1230 (see no. 38). The instrument before us may be dated about 1226.

We next come to a series of deeds which direct that the small and poor abbey of Killenny (see p. 4) shall be united to the prosperous abbey of Duiske. Although only twenty years in existence, the convent of Duiske was now a rich corporation, endowed with many broad acres, and enjoying the powerful patronage of Earl William Marshal and his great tenants. There was no need for another Cistercian house so near as Killenny; but, as we shall see, the union of the two provoked a good deal of opposition, and was especially distasteful to Jerpoint Abbey, of which Killenny was a daughter house.

The procedure necessary for absorbing Killenny in Duiske was elaborate. First, the abbot of Froidmont, who came from France to visit formally the Irish Cistercian houses, directed the union of the two abbeys (no. 19); then his recommendation was confirmed by the abbey of Clairvaux, the mother house of Froidmont (no. 20); next the abbots of Citeaux, and of the four elder 'daughters of Citeaux' (see p. 3), viz., la Ferté, Pontigny, Clairvaux, and Morimund, added their final confirmation (no. 21); and lastly, the convent of Citeaux sent a formal order to the convent of Duiske on the subject (no. 22). And, to remove all doubt, Earl William Marshal gave a formal certificate of his approval (no. 25), and also the bishop of Leighlin. See nos. 32, 33.

19.

B., abbot of Froidmont, visiting the Irish Cistercian houses with full powers to reduce the poorer houses to be granges, to unite houses, to interdict, suspend, and excommunicate all gainsayers and even the monasteries themselves, finding that the abbey of Killenny is in debt so that it can subsist no longer, and that the monks are obliged to beg, directs the transfer of Killenny with its property to Duiske, ordering that the abbot and monks of the former house be well treated. He gives the abbot of Bective power to excommunicate, expel, or, if necessary, to punish by the secular arm in case of gain-saying or disobedience.

Dated at Dublin, 22 July, 1227.

Uniuersis presentes literas inspecturis Frater B. Frigidi Montis dictus abbas eternam in domino salutem.

¹ R.T.A. 221.

Ad universitatis uestre notitiam volumus pervenire quod missi sumus a capitulo generali Cisterciensi ad abbatias Hybernie uisitandas in plenitudine potestatis; Videlicet ut possimus inter cetera pauperiores maxime abbatias in grangias redigere, plures in unam coniungere, et omnia alia agere secundum quod nobis uisum fuerit expedire, contradictores singulos et etiam ipsos conuentus et ecclesias interdicere suspendere† et excommunicare.

Intelligentes igitur manifeste quod abbatia de Valle Dei filia Jeripontis adeo debitis et aliis grauaminibus sit oppressa ut nullatenus iamdudum possit subsistere, in tantum quod tam monachi quam conuersi illius domus, pro defectu temporalium ordinem seruare, nec hospitalitatem† facere ualent, sicut ex ipsorum quoque testimonio didicimus, sed in confusionem ordinis per seculum discurrere et necessaria mendicare coguntur; pensatisque aliis multis utilitatibus et honestatibus, ipsam domum de cetero non esse abbatiam auctoritate dicti capituli decernimus eandem, cum omnibus personis grangiis edificiis et aliis rebus suis immobilibus, et mobilibus, et cum omni iure suo, proxime abbacie Sancti Saluatoris ordinis nostri prorsus coniungentes et incorporantes, ita quod predicti monachi et conuersi mutent, immo magis faciant ibidem professionem; quos ut benignius et honorabilius ceteris tractent quamdiu uixerint, abbati et conuentui firmiter et districte precipimus.

Et ad omnia exequanda et specialiter ad ponendum dictos abbatem et conuentum Sancti Saluatoris in corporalem et ueram atque perpetuam possessionem, constituimus uenerabilem et dilectum nostrum abbatem de Beatitudine, quem pro aliis ordinis negotiis ad partes destinamus illas, auctoritate prefati capituli ita ut possit omnes contradictores et inobedientes, quod absit, excommunicare, et aliter quo uoluerit modo punire, et de dicto loco expellare etiam per brachium seculare si necessarium erit.

Datum apud Dublinn† anno gratie millesimo ducentesimo uicesimo septimo in festo beate Marie Magdalene.

A précis of this important document is preserved in E, F.

The abbey of Froidmont was in the diocese of Beauvais. The abbot's name was *Bernard*.¹

20.

Confirmation by R. abbot of Clairvaux and his convent, of the union of Killenny and Duiske, directed by the abbot of Froidmont.

Dated at Citeaux, at the General Chapter, 1227.

Venerabilibus et in Christo dilectis abbati et conuentui Sancti Saluatoris in Hybernia Frater R. dictus abbas Clareuallensis totiusque eiusdem loci conuentus salutem in Christo.

Cum uere religionis augmento intelligentes uenerabilem coabbatem nostrum Frigidi Montis auctoritate capituli generalis pro reparatione ordinis et

¹ *Gallia Christiana*, ix, 832.

animarum salute uobis contulisse abbatiam Vallis Dei cum omni iure suo, ita ut de cetero† nunc sit abbatia que per se commode subsistere non poterat, sed ad uos pleno iure pertineat cum omnibus ad se pertinentibus, predictam collationem et unionem presentibus literis nostris confirmamus, monentes et mandantes quatinus sic studeatis in caritate proficere et regularibus disciplinis, ut semper gaudeamus in domino uos talibus beneficiis ampliasse.

Datum anno gratie MCCXXVII, tempore capituli generalis apud Cistercium.

The seals have disappeared from this document. The abbot of Clairvaux in 1227 was Ralph 'de Pinis seu de Peyrinis.'¹

21.

Confirmation by the abbots of Citeaux, La Ferté, Pontigny, Clairvaux, and Morimund, of the reduction of Killenny to a grange, and its union with Duiske, as directed by the abbot of Froidmont.

Dated at Citeaux, at the General Chapter, 1227.

Fratres G. Cistercii . . . de Firmitate . . . de Pontiniaco . . . de Clareualle et . . . Morimundo dicti abbates, uenerabilibus et in Christo dilectis T. co-abbati suo Sancti Saluatoris in Hybernia et eiusdem loci conuentui salutem in Christo.

Cum vere religionis augmento intelligentes plane uenerabilem B. co. abbatem nostrum Frigidi Montis, pro reparatione ordinis nostri in Hybernia et animarum salute, auctoritate nostra et totius capituli generalis, abbatiam Vallis Dei iam in grangiam redactam, eo quod per se commode subsistere non poterat, uobis et domui uestre cum omni iure suo in perpetuum contulisse, predictam collationem et unionem a predicto co-abbati nostro iam factam auctoritate presentium confirmamus, monentes et mandantes quatinus sic studeatis in caritate proficere et regularibus disciplinis studiosius inuigilare, ut semper gaudeamus in domino uos talibus beneficiis ampliasse. In huius siquidem rei testimonium presens scriptum sigillorum nostrorum munimine roborauimus.

Datum est autem hoc tempore capituli generalis anno gratie MCCXXVII apud Cistercium.

Two seals are gone. The seal of the abbot of Citeaux remains (see Plate II). It represents the abbot in vestments, in his right hand a crozier, and in his left hand an open book, the legend being SIGILLVM ABBATIS CISTERCIENSIS.² His name was *Gautier* or *Galcher de Ochies*. The names of the abbots of La Ferté, Pontigny, and Morimund were *Simon*, *Peter*, and *Guy* respectively.³

¹ *Gallia Christiana*, iv, 805.

² See also Brit. Mus. Cat. of Seals, vol. v, p. 256, no. 18524.

³ *Gallia Christiana*, iv, 992, 1023, 818; xii, 445.

22.

Letters from Gautier, abbot of Citeaux, and the General Chapter to the abbot and convent of Duiske confirming the union of Killenny with Duiske, as directed by the abbot of Froidmont.

Dated 1227.

Venerabilibus et in Christo dilectis abbati et conuentui Sancti Saluatoris in Hybernia Frater G. dictus abbas Cisterciensis totusque conuentus abbatum capituli generalis salutem in Christo.

Cum uere religionis augmento intelligentes uenerabilem coabbatem nostrum Frigidi Montis pro reparatione ordinis et animarum salute uobis contulisse abbatiam Vallis Dei cum omni iure suo, ita ut de cetero non sit abbatia que per se commode subsistere non poterat, sed ad uos pleno iure pertineat, cum omnibus ad se pertinentibus, predictam collationem et unionem presentibus litteris confirmamus, monentes et mandantes quatinus sic studeatis in caritate proficere regularibus disciplinis ut semper gaudeamus in domino uos talibus beneficiis ampliasset.

Datum anno gratie millesimo CCXXVII tempore capituli generalis.

A small piece of the seal is left.

An early transcript of this document is extant, as well as the original instrument.

Paragraph 13 of the Statutes of the General Chapter of the Cistercians for the year 1227 contains the record: "abbatia de Valle Dei huc usque filia Geripontis, quia per se subsistere non ualet, unitur abbacie Sancti Salvatoris cum omnibus bonis suis."¹

23.

Agreement between Peter, bishop of Ossory, and his chapter with the abbot and convent of Duiske, confirming the latter in the possession of Tikerlevan, with its church, &c., for an annual rent of 20 shillings, a chaplain to be provided for the church, and all episcopal dues being reserved.

Dated 6 December 1227.

Hec est conuentio facta inter Petrum episcopum Ossoriensem et capitulum cathedralis ecclesie Ossoriensis diocesis ex una parte et abbatem et conuentum Sancti Saluatoris ex altera;

Videlicet, quod idem episcopus assensu capituli sui concessit et confirmauit dictis abbati et conuentui totam terram de Stachmackarlewan cum ecclesia et aliis pertinentiis suis in proprios usus, de quibus fuerunt in possessione tempore confectionis huius cyrographi, et cum omnibus natiuis et eorum sequelis existentibus in eadem terra, a tempore quo hoc cyrographum confectionem fuit in perpetuum; qui inde reddent annuatim ecclesie cathedrali de

¹ Printed in Martene, *Thesaurus*, vol. iv, s. a. 1227.

Kilkenni uiginti solidos in duobus anni terminis, uidelicet in Inuentione Sancte Crucis decem solidos et in festo Sancti Kammici decem solidos; salua competente sustentatione capellani qui eidem ecclesie deseruiet per eosdem, et saluis oneribus episcopalibus.

Et ut hec conuentio rata et inconcussa in posterum permaneat, tam episcopus Ossoriensis et capitulum cathedralis ecclesie de Kilkenni quam abbas et conuentus eam sigillis suis hinc inde appositis corroborauerunt. Confectum fuit hoc cyrographum die Sancti Nicholai anno dominice incarnationis millesimo ducentesimo uicesimo septimo.

Hiis testibus, Dominis R. de Portu Sancte Marie, W. de Voto, et W. de Wetheni, abbatibus, et dominis A. de Instioch, et O. de Sancto Johanne de Kilkenni, prioribus, R. rectore ecclesie de Baligauran, T. rectore ecclesie de Kallan, Domino J. Marescallo, et R. de Hyda tunc Senescallo Lagenie, Willelmo de Druhulle, et R. de Kardif militibus, et multis aliis.

There are extant two copies of this charter. The Bishop's seal and the Chapter seal remain in partial preservation in both copies.¹ The charter is a confirmation of no. 8.

For *Peter, bishop of Ossory*, see p. 34. We have met several of the witnesses before, viz.: *Alured, prior of Inistioge*, p. 37; *Osbert, prior of St. John's*, p. 27; *Ralph, rector of Gowran*, p. 11; *Thomas, rector of Callan*, p. 31; *John Marshal*, p. 15; *William de Druhelle*, p. 31; and *Robert de Cardiff*, p. 40.

Roger de Hyda obtained letters of protection on 7 May, 1228, having gone to Ireland in the service of William Marshal, earl of Pembroke.² He appears as seneschal of Leinster in 1229,³ and 1231-2.⁴ He witnessed the younger William Marshal's charters to St. John's Priory⁵ (in 1223) and to Carlow⁶ (in 1225).

The Abbey *de Portu S. Mariæ* was Dunbrody (p. 4); *de Voto* was Tintern (p. 4); and *Wetheney* was Abingdon in co. Limerick.

24.

Confirmation by Peter, bishop of Ossory, and his chapter, to the convent of Duiske, of the church of Tulachany with the chapels of Annamult and Grange Castri, and the tithes thereof, for the annual rent of one mark, as arranged by Hugh, bishop of Ossory.

Dated 6 December, 1227.

Universis presens scriptum inspecturis P. dei gratia Ossoriensis episcopus eternam in domino salutem.

Quoniam ea que perpetua firmitate gaudere debent ad perpetuam memoriam publice debent commendari scripture, ad uniuersitatem uestram peruenire uolumus, nos diuini amoris intuitu et sacrosancte religionis obtentu et assensu capituli ecclesie nostre cathedrali confirmasse abbati et conuentui de Sancto

¹ For a reproduction of the Chapter Seal of Ossory, see Ware's *Ireland*, i, 397.

² C.D.I. i, p. 1597.

³ R.T.A. 339.

35th Report Deputy Keeper of Records, Ireland, p. 33.

⁵ Carrigan, iii, 249.

Chartae, &c., p. 38.

Saluatore ecclesiam de Tulachenny cum omnibus pertinentiis suis et cum decimis grangie sue, salua una marca quam dicti abbas et conuentus reddent annuatim ecclesie cathedrali de Kylkenny post obitum Odonis decani de Kylkenny, sicut conuenit inter Hugonem bone memorie antecessorem nostrum et capitulum cathedralis ecclesie sue et dictum abbatem et conuentum, et prout continetur in carta eorum quam habent de eodem episcopo :

Confirmauimus etiam eisdem capellam de Athermolt et capellam de Grangia Castri cum omnibus earum pertinentiis et cum decimis earundem grangiarum, saluis debitis seruitiis que debebantur de eisdem capellis tempore confectionis huius carte, ut omnia predicta habeant in proprios usus.

Et ut hec nostra confirmatio rata sit et stabilis, eam presentis scripti testimonio et sigilli nostri appositione una cum sigillo capituli nostri dignum duximus roborare. Confecta fuit hec carta die Sancti Nicholai anno dominice incarnationis millesimo ducentesimo uicesimo septimo.

Hiis testibus, Dominis R. de Portu Sancte Marie, W. de Voto, et W. de Wetheny, abbatibus et Dominis A. de Instioch, et O. de Sancto Johanne de Kylkenny, prioribus, J. Maresscallo,† et R. de Hyda tunc senescallis Lagenie, Willelmo de Druhelle, et R. de Kaerdif, militibus, et multis aliis.

There are three extant copies of this charter, and most of the seals remain attached. It was confirmatory of the grants set out in nos. 7, 9, and 10 ; see also p. 20.

The witnesses are the same as in Charter 23, which was executed on the same day, except that the rectors of Gowran and Callan do not attest this.

For the situation of Annamult and Grange Castri, see p. 13.

25.

Confirmation by William Marshal, earl of Pembroke, of the union of the abbey of Killenny with the abbey of Duiske, as decreed by the General Chapter of the Cistercian Order (in no. 22).

Dated at Caverisham,¹ 19 Jan. [1228].

Omnibus presens scriptum uisuris uel audituris W. Marescallus Comes Pembroc salutem.

Nouerit uniuersitas uestra nos diuine pietatis intuitu confirmasse unionem abbacie de Killenny cum omni iure suo et omnibus rebus ad ipsam pertinentibus cum abbacia de Valle Sancti Saluatoris, quam dominus pater noster fundauit, sicut continetur in statuto et sanctione domini abbatis et capituli generalis Cisterciensium, celebrati anno uerbi incarnati millesimo ducentesimo uicesimo septimo.

Et ut ista confirmatio inperpetuum firma perseueret eam presenti scripto et sigilli nostri appositione roborauimus.

¹ Near Reading.

Testibus, Johanne de Erleston, Stephano de Hereford, Godefrido fratre ipsius, Hamone le Gras, Willelmo de Rugdone, Francisco le Treis, Magistris Hugone et Roberto clericis, et multis aliis.

Datum apud Cauerisham XIII Kalend: Febr:

The seal has disappeared from this charter, of which an early transcript is also extant in a collection made up of Charters 28, 29, 30, 35, 58, 25, 54.

John de Erleston is probably the John d'Erlée (see p. 20) who was a signatory to William Marshal the elder's Foundation Charter. It would be specially fitting that he should be a witness to this important confirmation by William Marshal's son.

Stephen de Hereford and his brother *Godfrey* were sons of Adam de Hereford, a young follower of Richard, earl of Clare (Strongbow), who was granted lands at Rathdowney, Queen's Co., and also in co. Kildare by his lord.¹ *Stephen* appears again as a witness to Richard Marshal's Deforestation Charter of New Ross in 1233,² and also as holder of lands at Rathdowney in 1246.³

For *Hamo Crassus* or le Gras, see p. 35.

Francis le Tyeis held Marshal lands at Damach in co. Kilkenny in 1246⁴.

Hugh and *Robert*, clerks, witnessed the charter to Carlow given by William Marshal the younger in 1225.⁵

26.

Confirmation by Henry, archbishop of Dublin, of the rescript of Peter, bishop of Ossory [no. 24], confirming the convent of Duiske in the possession of Tulachany, Tikerlevan, Annamult, and Grange Castri, for the annual rent of one mark to be paid to the cathedral Church of St. Canice, Kilkenny, after the death of Odo, dean of Kilkenny.

Uniuersis Christi fidelibus ad quos presens scriptum peruenerit Henricus dei gratia Dublinensis ecclesie minister humilis eternam in domino salutem.

Ad sacre religionis institutionem et incrementum, sicut ex officii debito nobis incumbit propensius inuigilare, ita ut instituta fructificent, tenemur studiosius procurare, et precipue uiros religiosos pia et paterna affectione protegere et confouere; inspecta siquidem carta uenerabilis in Christo fratris et suffraganei nostri P. Ossoriensis episcopi, per quam dilectis in Christo filiis abbati et monachis de Sancto Salvatore quasdam terras et quedam beneficia pietatis intuitu concessit et confirmauit, eadem beneficia et terras predictas auctoritate metropolitici, prout in carta memorati episcopi et ipsius cyrographo continetur, una cum ceteris beneficiis que eisdem pia fidelium largitione collata fuerunt aut in posterum iuste conferentur concedimus et confirmamus.

¹ R.T.A. 102, and Carrigan, *Introd.*, 6.

² C.M.A. ii, 157.

³ C.M.A. ii, 405.

⁴ C.M.A. ii, 405.

⁵ *Chartae*, &c., p. 38.

Et eosdem et domum suam cum terris omnibus possessionibus et beneficiis suis sub speciali protectione nostra auctoritate predicta suscipimus. A prefato siquidem episcopo per cartam et cyrographum que inspeximus concessa et confirmata beneficia propriis duximus exsponenda† uocabulis.

Videlicet; ecclesiam de Thulachenni cum omnibus pertinentiis suis et cum decimis grangie quam ibi habent, salua una marca quam soluent ecclesie cathedrali de Kylkenny post obitum Odonis decani de Kylkenny, et capellam de Aetheremolth, et capellam de Grangia Castri cum omnibus earum pertinentiis et cum decimis earundem grangiarum, saluis debitis seruitiis que debebantur de eisdem capellis tempore confectionis carte memorati episcopi;

Totam etiam terram de Stacmakhurlewan cum ecclesia et aliis pertinentiis suis in proprios usus cum omnibus natiuis et eorum sequelis existentibus in eadem terra, qui inde reddent annuatim ecclesie cathedrali de Kylkenny uiginti solidos, salua competenti sustentatione capellani qui eidem ecclesie deseruiet per eosdem, et saluis honeribus episcopalibus.

Hec quidem et alia prout in predictis carta et cyrographo continetur predictis abbati et monachis in proprios usus suos conuertenda auctoritate nostra concedimus et confirmamus. In cuius rei testimonium presenti scripto sigillum nostrum apponi fecimus.

Hiis testibus, Domino W. decano Sancti Patricii Dublinensis, Magistro Thoma Cancellario, et R. Luterel Thesaurario, Waltero de Lundres, Willelmo de Pyron, Magistro Johanne de Tanton, Petro capellano, Warino clerico, et multis aliis.

This charter must be later than 6 December, 1227 (the date of no. 24, which it confirms), and earlier than Nov., 1228, when Archbishop *Henry de Londres* died, after an episcopate of sixteen years. For Peter Malveisin, bishop of Ossory, see p. 34.

This charter was evidently granted at Dublin, the witnesses being all connected with St. Patrick's Cathedral, which had been raised to the status of a cathedral church early in the thirteenth century.

William Fitz Guy, the first Dean, and *Thomas de Castello*, the first Chancellor, had both been nominated by Archbishop Henry in 1219. *Robert Luttrell* had become treasurer in 1223. *Walter de London*, *William de Piro*, and *John de Taunton* were canons, and appear in many documents of this period.¹

Peter the chaplain and *Warin* were among the witnesses attesting Archbishop Henry's charter of 1219, founding the Precentorship, Chancellorship, and Treasurer-ship; Peter appearing again as late as 1242.²

¹ See R.T.A. 169, 328.

² In Archbishop Alan's Register. All these names appear in the Chartulary of St. Patrick's, commonly called "Dignitas Decani"; e.g., see nos. 2, 20 (Proc. Roy. Ir. Academy, 1905, p. 481).

27.

Inspeximus by the abbots, T. of Neht, R. of Tintern, T. of Kingswood, and T. of Duiske of (1) a Commission from G., abbot of Citeaux, and the General Chapter, to the abbot of Clairvaux or his deputies to visit the Cistercian houses in Ireland, with plenary powers; (2) an appointment by R., abbot of Clairvaux, of the abbot of Stanley as his deputy; and (3) a mandate by G., abbot of Citeaux, and the General Chapter to the Cistercian houses in Ireland to recognize the powers thus given to the abbot of Stanley or his deputy;

All these documents being of the year 1228.

Venerabilibus et in Christo dilectis uniuersis co-abbatibus suis prioribus et conuentibus ceterisque personis ordinis Cisterciensis in Hibernia constitutis necnon et omnibus Christi fidelibus, Fratres T. et R. et T. et T. de Neht et Tinternia et Kingaswed et Sancto Salvatore abbates salutem in domino.

Uniuersitati uestre presentibus patefacimus nos uenerabilium patrum duorum uidelicet Cistercii et Clareuallis totiusque conuentus abbatum capituli generalis autentica subscripta inspexisse in hunc modum:

[1.] Frater G. dictus abbas Cistercii totusque conuentus abbatum capituli generalis uenerabilibus et in Christo dilectis uniuersis co-abbatibus suis prioribus subprioribus et conuentibus ceterisque personis ordinis Cisterciensis in Hibernia constitutis necnon et omnibus Christi fidelibus salutem in domino.

Uniuersitati uestre presentibus literis innotescat nos abbati Clareuallensi et illi uel illis quos secum duxerit assumendos uel uices suas committere per uniuersas domos Hibernie ordinis nostri plenariam potestatem commississe, ita quod possint sine alicuius contradictionis obstaculo per omnes predictas domos, irrequisitis patribus abbatibus, abbatias quotienscumque uoluerint uisitare, abbates deponere, cessiones eorum recipere, et substituere personas, monachos et conuersos amittere et expellere, gentem mutare ad quoscumque domos, ordinis nostri decreuerint destinare, abbatias plures coniungere, aliis abbatiis eiusdem deriuationis pro reformatione ordinis perpetuo in filias dare, abbatias transplantare et in grangias redigere, ecclesias et contradictores interdicto subponere suspendere et excommunicare, personas expellere, et si necessitas fuerit per brachium seculare, et omnia ordinare et agere sicut crediderint expedire; unum uobis omnibus et singulis in uirtute obedientie districte precipimus, quatenus eidem abbati uel uices eius agenti uel agentibus tanquam nobis in omnibus obediatis semper quousque redierint ad propria.

Rogamus insuper uniuersos Christi fideles quatenus sepedicto abbati et illi uel illis quos secum duxerit assumere uel uices suas committere taliter assistere dignemini, ut ordo noster ope et opere uestro in dicta terra refloreat, et in statum debitum redigatur; scientes propter hoc honorum omnium que in ordine nostro fiunt uos factos esse participes.

Datum anno gratie millesimo ducentesimo uicesimo octauo tempore capituli generalis.

[2.] Venerabilibus et in Christo dilectis uniuersis co-abbatibus suis prioribus et conuentibus ceterisque personis ordinis Cisterciensis in Hibernia constitutis necnon et omnibus Christi fidelibus Frater R. dictus abbas Clareuall: salutem in domino.

Uniuersitati uestre presentibus literis innotescat nos uenerabili co-abbati nostro de Stanleg in Wiltesyr et illi uel illis quos secum duxerit assumere uel uices suas committere per uniuersas domos Hibernie ordinis nostri, sicut a capitulo generali nobis est commissum, plenariam potestatem commisisse: ita quod possit uel uices eius agenti sine alicuius contradictionis obstaculo per omnes predictas domos, et irrequisitis patribus abbatibus, quotienscumque uoluerit abbatias uisitare, abbates deponere, cessiones eorum recipere, uel substituere personas, monachos et conuersos amittere et expellere, gentem mutare ad quoscumque domos ordinis nostri decreuerint destinare, abbatias plures in unam coniungere aliis abbatibus eiusdem deriuationis pro reformatione ordinis perpetuo in filias dare, abbatias transplantare et ingrangias redigere, ecclesias et contradictores interdicto subponere suspendere et excommunicare, personas expellere, et si necessitas fuerit per brachium seculare, et omnia ordinare et agere sicut uidetur expedire; unum uobis omnibus et singulis in uirtute obedientie districte precipimus quatenus eidem abbati uel uices eius agentibus tanquam nobis in omnibus obediatis semper quousque ad propria redierint. Rogamus insuper uniuersos Christi quatenus sepedicto abbati et ille uel illis quos secum duxerit assumere uel uices suas committere taliter asistere† dignemini, ut ordo noster ope et opere uestro in dicta terra reflorat et in statum debitum redigatur; scientes propter hoc bonorum omnium que in ordine nostro fiunt uos factos esse participes.

Datum anno domini millesimo ducentesimo uicesimo octauo die beati Sequani abbatis.

[3.] Venerabilibus et in Christo dilectis co-abbatibus suis prioribus et conuentibus Cisterciensis ordinis Frater G. dictus abbas Cistercii totusque conuentus abbatum capituli generalis eternam in domino salutem.

Mandamus uobis in uirtute obedientie districte precipientes quatenus ad ammonitionem et uoluntatem uenerabilis co-abbatis nostri de Stanleg in Wiltesir uel eius uices agentis eatis cum eo et cum eo ad prosequendum negotium Hiberniense, secundum quod ei uisum fuerit expedire; et si quos de uestris monachis uel conuersis uoluerit ad partes Hibernie destinare, uel ibi sint perpetuo uel ad tempora, eidem abbati uel eius uices agenti libere concedatis, compellantes eos ad uoluntatem ipsius abbatis.

Datum anno gratie millesimo ducentesimo xxviii tempore capituli generalis.

Nos igitur predictorum patrum autenticis inspectis, presentem Wallie guerram diuersaque pericula ex uariis causis emergentia pro oculis habentes, et tanto negotio debita discretione et diligentia pro posse nostro tute providere cupientes, dictis autenticis tutissime reconditis, transcripta eorundum uerbo

ad uerbum fideliter exarata cum sigillorum nostrorum testimonio, uobis recitanda ad maiorem fidem faciendam, m. . . . decreuimus.

The date of the *Inspeximus*, which is in the usual form (see p. 64), is not given, but the reference to the war in Wales would suggest that it was made about 1282, when Edward I subdued the Welsh.

The seals of the four abbots have disappeared. *Neht* (or Neath) and *Kingswood* were in Glamorganshire and Gloucestershire respectively. The *Tintern* Abbey here mentioned was the elder Tintern in Monmouthshire.

The abbot of Stanley, who appears in these documents as Visitor of the Irish Cistercian houses in 1228, was a remarkable person. His name was *Stephen de Lexinton*, and he was a man of high character as well as of good family. He entered the monastic life at the suggestion of Edmund Rich, archbishop of Canterbury, whose disciple he was; and having joined the Cistercian Order about 1221, he was very soon appointed abbot of Stanley in Wiltshire. In the year after he acted as Visitor of the Cistercians in Ireland, that is, in 1229, he was elected abbot of Savigny, an abbey near Coutances in the diocese of Avranches. On 6 December, 1243, he was elected abbot of Clairvaux, and among his many activities while ruling that great monastery was the foundation of a house in Paris for scholars of his order. He died some time after 1256.¹

The abbot of Citeaux was *Gautier*, or Walter, and the abbot of Clairvaux was *Ralph* (see p. 45).

28.

Composition of dispute between R., bishop of Leighlin, W., archdeacon, and the chapter of Leighlin, of the one part, and the abbot and convent of Duiske of the other part, through the mediation of the abbots of Buildwas and Stanley, and John de Taunton, canon of St. Patrick's, Dublin. The convent grants to the bishop of Leighlin for the time being two carucates of land, near the manor of Fynnore, viz., one carucate which the bishop formerly held from the convent of Killenny, and the other carucate extending by the Barrow and by the land which William Crassus held from the monks of Killenny; and the convent further grants to the chapter of Leighlin the tithes of these two carucates with the church of Fynnore, which W., the archdeacon, holds from the chapter: with the concurrence of S., abbot of Stanley, Visitor-General of the Cistercian Order in Ireland. The convent to be freed for ever from procurations and exactions, provided that they erect a church in the said territory of Killenny, which shall have a secular chaplain with cure of souls, to be presented by them to the bishop or archdeacon: the convent to have the tithes, the bishop of Leighlin renouncing all further claims against the abbey of Duiske, arising out of its absorption of Killenny.

Dated at Fynnore, 6 June, 1228.

¹ See D.N.B. s. v. 'Lexinton, Stephen de.'

Omnibus Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit R. dei gratia Lechelinensis episcopus et W. archidiaconus eiusdemque ecclesie capitulum salutem in domino.

Scire uolumus uniuersos quod inter nos ex una parte et abbatem de Valle Sancti Saluatoris eiusdemque loci conuentum ex altera, super remotione abbacie de Killenny et omnibus aliis querelis que nobis competere poterunt ratione prefate remotionis, mediantibus uiris uenerabilibus S. de Bildewas, S. de Stanleg abbatibus et Magistro Johanne de Tanton canonico Sancti Patricii Dublinensis, controuersia quieuit sub hac forma :

Videlicet quod dicti abbas et monachi, pro bono pacis et mutue in perpetuum inter prefatas ecclesias dilectionis, dederunt et concesserunt deo et ecclesie nostre et episcopis qui pro tempore substituentur duas carucatas terre iuxta manerium de Fynhawere, illam uidelicet carucatam quam dictus episcopus de domo de Kyllenny ad firmam temporalem prius tenuit, et aliam carucatam terre mensuratam inter terram eandem pro parte et iuxta pro parte iacentem que extendit se in latitudine per Baruwe et in longitudine per terram quam tenuit Willelmus Crassus de monachis de Kyllenny ;

Preterea dederunt et concesserunt dicti abbas et monachi prefato capitulo Lechelinensi omnes decimas duarum carucatarum pronominarum, ad ecclesiam de Finhewere quam dictus W. archidiaconus Lechelensis de dicto capitulo tenet reuertendas, concurrente ad hoc consensu patris abbatis dicti, uidelicet uiri uenerabilis Domini S. de Stanleg in Wiltshire tunc tempore uisitoris generalis ordinis Cisterciensis in Hybernia in plenaria potestate.

Memorati uero abbas et monachi de Valle Sancti Saluatoris immunes erunt in perpetuum a prestatione omnium modarum decimarum et a procurationibus et omnibus exactionibus que fieri poterunt ratione iuris ordinarii. Ita tamen quod ecclesiam erigant in dicto territorio de Kyllenny ubi uiderint expedire, in qua tenentes et seruientes eorum diuina percipiant et ecclesiasticam habeant sepulturam : Cui siquidem ecclesia deseruietur per capellanum secularem qui dicto episcopo uel archidiacono per ipsos presentabitur et respondebit tantummodo de cura animarum. Item uero monachi dicto capellano necessaria ministrabunt, et ecclesiam illam et decimas et obuentiones et omnia alia parochialia integre tam a tenentibus quam a seruientibus, qui infra septa terre olim spectantes ad dictam abbatiam de Kyllenny habitabunt, in proprios usus habebunt in perpetuum.

Ceterum unionem dicte abbacie de Kyllenny cum omnibus grangiis suis terris et omnibus aliis pertinentiis et cum omni iure suo per capitulum generale Cisterciense factam cum abbacia de Valle Sancti Saluatoris approbamus et auctoritate pontificali et ecclesie nostre in perpetuum confirmamus, renuntiantes omni actioni que nobis quacumque ratione seu quocumque tempore competere posset contra abbatem et conuentum de Valle Sancti Saluatoris occasione prefate unionis.

In cuius rei robur et testimonium presens instrumentum confecimus et sigilla nostra apposuimus.

Hiis testibus, S. et S. de Bildewas et de Stanleg, abbatibus, Domino W., archidiacono Lechelinensi, R. Thesaurario Lechlinensi, Magistro Johanne de

Tantona, Domino Ranulpho rectore ecclesie de Balygauran, Domino Ricardo tunc officiali Lechlinensi, W. de Bendeuille milite, et multis aliis.

Datum apud Fynower viii Idus Junii anno gratie MCCXXVIII.

Two copies of this charter are extant, and also an early transcript (see p. 49, above). Three seals were attached to each of the former, but of the whole six only one remains.

The manor of Fynnore (Killenora), where this was executed, was near Kellistown in co. Carlow and in the diocese of Leighlin. It is to be observed that the abbey of Killenny was situate in that diocese, which accounts for the bishop of Leighlin's position in the case.

Of the various personages concerned in it, *Robert Fleming* was bishop of Leighlin from 1217 to 1228; *William* was archdeacon from 1200 to 1228, when he succeeded Robert Fleming as bishop; *John of Taunton* was a well-known canon of St. Patrick's (see p. 50); *William Crassus* we have had already (see p. 16); for *Ralph*, the rector of Gowran, see p. 11; *R.*, treasurer of Leighlin, and *Richard*, official of Leighlin, do not seem to appear elsewhere; *W. de Bendeuille*, knight, may be a kinsman of the William de Wendeval who was dapifer of King John, and was given a messuage in Dublin.¹ For Ralph de Bendeuille, who also may have been a kinsman, see p. 21.

The abbey of Buildwas, whose abbot S. appears in this charter, was a Cistercian house in Shropshire. *Stephen*, the abbot of Stanley in Wiltshire, had been appointed Visitor-General of the Cistercians in Ireland, as we know from Charter 27.

29.

Inspeximus by Henry, archbishop of Dublin, of the preceding Charter (no. 28).

Dated at Dublin, 1 July, 1228.

Uniuersis Christi fidelibus ad quos presens scriptum peruenerit H. dei gratia archiepiscopus Dublinensis salutem in Domino.

Compositionem inter uenerabilem fratrem R. Lechelinensem episcopum necnon et W. archidiaconum eiusdemque ecclesie capitulum ex una parte, et abbatem et conuentum de Valle Sancti Salvatoris ex altera, super querelis subscriptis amicabiliter initam inspeximus sub hac forma: Omnibus Sancte Matris [*as in no. 28 verbatim, down to*] testibus et cetera. Nos igitur quorum interest pro officii debito paci et tranquillitati ecclesiarum prouidere et litium occasiones prescindere, que fraternam non numquam offendunt et minuunt caritatem, dictam compositionem ratam habentes, approbamus et auctoritate metropolitana in perpetuum confirmamus.

In cuius rei robur inconcussum et testimonium presens scriptum sigilli nostri appositione muniuimus.

Testibus domino S. abbate de Stanleg, W. decano Sancti Patricii Dublinensis, G. archidiacono Dublinensi, T. cancellario, R. thesaurario, et aliis.

¹ R.T.A. 417.

Datum apud Dublin anno gratie MCCXXVIII Kl. Julii per manum Warini canonici Sancti Patricii.

A small piece of the archbishop's seal remains; this charter must have been one of the last instruments executed by him.

Geoffrey de Turville, archdeacon of Dublin, who was one of the witnesses, was a man of importance. In 1237 he was Lord Chancellor of Ireland, and in 1244 became bishop of Ossory. For the other witnesses who were members of the Chapter of St. Patrick's Cathedral, see p. 50.

30.

Confirmation by Stephen, abbot of Stanley, in virtue of his commission (no. 27), of the union of Killenny with the convent of Duiske, as to which there had been complaint by certain persons from Fountains and Jerpoint. Certified by the abbots of Margam and Buildwas and thirteen abbots of Irish Cistercian houses.

Dated at St. Mary's Abbey, Dublin, 1228.

Uniuersis Christi fidelibus ad quos presens scriptum peruenerit Frater Stephanus dictus abbas de Stanleia salutem in domino.

Cum capitulum generale Cisterciense ad partes Hibernie nos destinare decreuerit in plenitudine potestatis ob ordinis ibidem reformationem, merito nos zelari congruit summaque diligentia prouidere ut que ipsius auctoritate statuuntur maneant illibata et preuaricandi audacia compescatur, nam, ut cetera taceamus, nobis potestatem plenariam contulit absque alicuius obstaculo contradictionis plures abbatias etiam irrequisitis prioribus abbatibus in unum coniungendi, aliisque abbatiis eiusdem deriuationis perpetuo in filias dandi, ita quod possimus ecclesias et contradictores interdicto subponere suspendere et excommunicare in super omnia ordinare et agere sicut credidimus expedire. Abbatia siquidem quondam Vallis Dei ad tantam deuenerat substantie temporalis inopiam, mobilibus consumptis et immobilibus magna ex parte alienatis, ut nec ordinis disciplinam seruare nec hospitalitatem sectari sufficeret, cum anno gratie MCCXXVII abbatie proxime de Valle Sancti Saluatoris cum omnibus grangiis terris et aliis rebus suis insuper cum omni iure suo integre unita est, auctoritate capituli memorati, ut sic de cetero tam monachi ipsius quam conuersi sub iugo degant regulari et norma discipline, qui prius in animarum suarum periculum et ordinis nostri graue scandalum sub pretextu penurie foras euagando uiuebant dissolute. Cui quidem statuto auctoritate tanta firmiter approbato et sigillis uirorum uenerabilium tam Domini Cisterciensis quam quatuor primorum abbatum plenius confirmato, prout accepimus in occulto, quidam submurmurant, utpote quidam de Fontanis et de Jeriponte, quasi futuris temporibus opus tam auctenticum possent irritare, propter quod simplicium et iuris ignarorum turbant conscientias et trahunt in errorem.

Nos igitur quorum interest in hac parte, quam sit amica contemplationi pacis securitas et odiosa turbatio attendentes, ut omnis scrupulus tollatur in

posterum et precludatur occasio maligno, presertim cum in confirmationibus quas Fontanenses habent a capitulo generali abbatia quondam Vallis Dei que in grangiam reddita est abbacie de Sancto Salvatore excipiantur, de uirorum auctenticorum summeque peritorum maxime autem subscriptorum abbatum consilio unanimi et consensu, dictam unionem Vallis Dei cum abbatia de Valle Sancti Saluatoris tam in bonis suis mobilibus quam immobilibus firmiter approbamus et auctoritate, supradicta nobis in potestate plenaria tradita in perpetuum, confirmamus. Insuper uniuersis tam abbatibus quam monachis et conuersis quacumque fuerint perpetuum imponimus silentium, ne sibi contra prefatam ordinationem aliquatenus reclamare uel ipsam quomodolibet audeant perturbare, decernentes irritum et inane quicquid in contrarium aliquo tempore impetratum uel quomodocumque fuerit attemptatum.

In huius siquidem rei robur et consensus ac confirmationis in perpetuum testimonium subscripti abbates una nobiscum sigilla sua apposuerunt; uidelicet, J. de Margan, S. de Bildewas, A. de Sancta Maria iuxta Dublin:, W. de Magio, M. de Valle Salutis, Philippus de Jeriponte, R. de Sancta Cruce, H. de Beatitudine, R. de Portu Beate Marie, . . . de Rosaualle, W. de Wetheni, W. de Voto, J. de Tracton, R. de Grenardo . . . de Aruicampo.

Datum apud Sanctam Mariam iuxta Dublin: anno gratie MCCXXVIII.

All the fifteen abbatial seals, formerly attached, have disappeared from this charter.

The union of Killenny with Duiske was long resented by the abbey of Jerpoint, of which Killenny had been a daughter house, and we shall meet with the dispute again (nos. 85, 86). Complaints seem to have been made, after the union had been formally ratified (see nos. 19–22), by monks of Fountains Abbey, Yorkshire, as well as by those of Jerpoint, which had been affiliated to Fountains by an Act of the General Congregation of the Cistercians in 1227.¹

For *Stephen*, abbot of *Stanley*, see p. 53.

Besides the abbots of *Margam*² (in Glamorganshire) and of *Buildwas* (in Shropshire), we have here the certificate of thirteen Irish Cistercian abbots, viz.:—

A., abbot of *St. Mary's*, *Dublin*.

W., abbot of *Nenay*, situated about 7 miles west of Limerick, and called 'de Magio' because of its proximity to the river Maigue. *Nenay* is not to be confounded with *Nenagh* in co. Tipperary.

M., abbot of *Baltinglass* (de Valle Salutis), co. Wicklow.

Philip, abbot of *Jerpoint*, co. Kilkenny.

R., abbot of *Holy Cross*, near Thurles, co. Tipperary.

H., abbot of *Bective* (de Beatitudine), co. Meath.

R., abbot of *Dunbrody* (de Portu Beatae Mariae), co. Wexford.

The abbot of *Monasterevan* (de Rosea Valle), co. Kildare.

W., abbot of *Wetheney* or *Abingdon* in co. Limerick.

W., abbot of *Tintern* (de Voto), co. Wexford.

J., abbot of *Tracton* (de Albo Tractu), co. Cork.

R., abbot of *Abbeylarha* (de Grenardo), co. Longford; and

The abbot of *Kilcooley* (de Arvicampo), co. Tipperary.

¹ See Martene s. a. 1227.

² His name was *John de Goldclire*; see W. de Gray Birch, *Margam Abiey*, p. 221.

31.

Confirmation by Peter, bishop of Ossory, with his chapter, to the conven of Duiske, of the churches and chapels of Tulachany, Tikerlevan, Annamult, and Grange Castri, after the decease or cession of Master P. of Christ Church, notwithstanding the presentation made to him.

Dated at Kilkenny, 7 Sept., 1228.

Uniuersis Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit P. dei gratia Ossoriensis episcopus salutem in domino.

Quoniam que intuitu dei et fauore religionis de assensu capituli nostri deo et abbacie de Sancto Salvatore et monachis ibidem deo seruientibus indulsumus et concessimus nullatenus uolumus irritari: De assensu dicti capituli nostri cathedralis concedimus et auctoritate pontificali confirmamus, quatinus non obstante presentatione facta Magistro P. de Christi ecclesia, libere liceat et absque omni contradictione dictis monachis, post decessum uel cessionem memorati magistri P., tam ecclesiarum quam capellarum de Thalachenni, Tacmakcarlewan, Aetheremold, et Grangia Castri possessionem, ingredi et in proprios usus conuertere, cum omnibus pertinentiis suis, sicut in autentico instrumento tam sigillo nostro quam capituli nostri cathedralis anno gratie MCC uicesimo septimo roborato continetur. Hec in aliquo, per predictam presentationem memorati Magistri P. aud institutionem per nos factam, scriptorum a nobis et capitulo nostro prius obtentorum uigor minuaturs et adnichiletur.

In cuius rei robur inconcussum et perpetuum testimonium confirmationis capitulum cathedralis ecclesie nostre una nobiscum presenti scripto sigillum suum apposuit.

Testibus Domino Stephano abbate de Stanlegh in Wilteschyris, Domino Philippo abbate de Jeriponte, Odone decano de Kylkenny, Almarico archidiacono Ossoriensi, Ricardo de Grunstede, Galfrido Wiberth, Willelmo de Gudeford, canonicis ecclesie de Kylkenny, Magistro Florencio, Fratre Willelmo monacho de Sancto Salvatore, et multis aliis.

Datum anno gratie M.C.C.XXVIII septimo Idus Septembris apud Kylkenny.

This is supplementary to, and confirmatory of, Charter no. 24. The bishop's seal is gone, but the chapter seal remains. We do not know anything further of 'Master P. of Christ's Church,' who was entitled to the next presentation.

We have had before *Peter Malveisin*, bishop of Ossory (p. 34); *Stephen*, abbot of *Stanley* (p. 53); *Philip*, abbot of *Jerpoint* (p. 57); *Odo*, dean of *Ossory* (p. 27); and *Almaric*, archdeacon of *Ossory* (p. 27).

Richard de Grunstede, *Wilfrid Wiberd*, and *William de Gudeford*, canons of Ossory, appear again as attesting a deed in the Register of St. Thomas' Abbey.¹

We do not know anything of *Master Florence* or of *Brother William*, a monk of Duiske Abbey.

¹ R.T.A. 314.

32.

Inspeximus by William, bishop of Leighlin, of the Letters from the abbots of Citeaux, la Ferté, Pontigny, Clairvaux, and Morimund, confirming the union of Killenny with Duiske (no. 21).

W. dei gratia Leglinensis episcopus uniuersis presentes literas inspecturis uel auditoris salutem in domino sempiternam.

Discretionis uestre duximus declarare nos literas uenerabilium patrum . . . de Cistercio . . . de Firmitate . . . de Pontiniaco . . . de Clareuall et . . . de Morimundo abbatum inspexisse et manibus nostris contrectasse sub hac forma compositas: Fratres G. Cistercii [*as in no. 21, verbatim to*] anno gratie MCCXXVII apud Cistercium.

Ut igitur fides certissima super nos adhibeatur presenti scripto sigillum nostrum apposuiamus.

The bishop's seal has disappeared from this charter.

The abbey of Killenny was in Leighlin diocese, and therefore confirmation of the union by the bishop of that see was necessary.¹

William le Chauniuor, bishop of Leighlin, and formerly archdeacon, succeeded to the see on Robert Fleming's death, which (see no. 28) must have been subsequent to 6 June, 1228. William was elected bishop by the Dean and Chapter, without waiting for the royal licence, and this caused considerable delay in his consecration. The present charter cannot, therefore, be earlier than the end of 1228 or the beginning of 1229.

33.

Inspeximus and Confirmation by William, bishop of Leighlin, with the consent of his chapter, of the Confirmation by R., bishop of Leighlin, of the union of Killenny with Duiske.

Omnibus Christi fidelibus ad quos presens scriptum peruenerit W. dei gratia Lechlinensis episcopus salutem et benedictionem.

Licet omnibus quibus deus preesse nos uoluit teneamur prodesse, maxime cum illis nos conuenit paterne dilectionis curam sollicitius impendere, quos prepoliere nouimus artiores uite et religionis decore. Inde est quod nos diuini amoris intuitu et sacrosancte religionis obtentu per assensum capituli ecclesie nostre cathedralis, inspecta carta uenerabilis in Christo patris et predecessoris nostri R. bone memorie Lechlinensis episcopi, unionem Vallis Dei quondam abbacie cum omnibus grangiis suis et terris et omnibus aliis pertinentiis et cum omni iure suo, per uisitatores capituli generalis Cisterciensis in plenaria potestate ad sacre prouentum religionis prouide factam, et per capitulum generale Cisterciense approbatam et consummatam cum abbacia de Valle Sancti Saluatoris, approbamus et auctoritate pontificali et

¹ See p. 55, above.

ecclesie nostre cathedralis abbati et monachis Sancti Saluatoris ordinis Cisterciensis in perpetuum confirmamus, prout in autentico memorati episcopi predecessoris nostri uerbo ad uerbum plenius continetur.

In cuius rei robur inconcussum et perpetuum testimonium confirmationis capitulum cathedralis ecclesie nostre una nobiscum presenti scripto sigillum suum apposuit.

Teste capitulo nostro, et Domino A. priore de Instioch, Magistro H. rectore ecclesie de Catherlach, Willelmo le Poer clerico, et aliis.

The two seals remain attached to this charter (see Plate II). The chapter seal represents Leighlin Cathedral. The bishop's seal has both an obverse and a reverse. The obverse shows the bishop in canonicals, with pastoral staff, giving his blessing, and the legend is :

✠ WILLS DEI GRACI(A LEHGLI)NENS(IS E)PISCOPV'.

The reverse shows the crowned Virgin and Child, with the bishop kneeling beneath. The legend is a rough hexameter verse :

✠ SIS ROGO FILI (TE WILLE)LMO DVX VIA VITE,

a prayer on behalf of the bishop which is put in the Virgin's mouth. Mr. E. C. R. Armstrong has pointed out to me that a counter-seal of William of Cornhill, bishop of Lichfield (1215-1223), has a similar device and inscription.¹

The original Confirmation of the union of the two convents, by *Robert Fleming*, bishop of Leighlin, does not seem to be extant; but this *Inspeximus* must be practically of the same date as no. 32, viz., at the end of 1228 or the beginning of 1229.

For *Alured*, prior of *Inistioge*, who is a witness, see p. 37. *H.*, rector of *Carlow*, is not known to us elsewhere. *William le Poer*, clerk, attested many charters of this period.²

34.

Inspeximus by Luke, archbishop of Dublin, of the Letters from G., abbot of Citeaux, and the General Chapter of the order (no. 22), confirming the union of Killenny with Duiske: at the request of the convent of Duiske for their greater security.

Dated at Kilkenny, 13 May, 1229.

Omnibus Christi fidelibus presentes literas inspecturis L. dei gratia Dublensis archiepiscopus salutem eternam in domino.

Uniuersitati uestre notum facimus nos literas uenerabilis uiri G. abbatis Cisterciensis totiusque conuentus abbatum capituli generalis sub hac forma inspexisse: Venerabilibus et in Christo dilectis abbati et conuentui Sancti Saluatoris [*as in No. 22 verbatim to*] datum anno gratie MCCXXVII tempore capituli generalis.

¹ See Brit. Mus. Cat. of Seals, i, p. 243, no. 1630.

² See R.T.A. 82, 128, 347; C.M.A. i, 114, 116; ii, 193.

Nos igitur ad petitionem uenerabilium abbatis et conuentus de Sancto Salvatore, et maiorem rei securitatem ne super dicto negotio ab aliquo possit debitare, presentes literas nostro sigillo munitas dictis abbati et conuentui Sancti Saluatoris concessimus testimoniales.

Datum apud Kilkenny tertiodecim die May, pontificatus nostri anno primo.

Archbishop Luke's seal has disappeared. He succeeded to the see of Dublin at the end of the year 1228. See p. 72.

For *Gautier*, abbot of Citeaux, see p. 45.

35.

Confirmation by Ralph, abbot of Clairvaux, with his convent, of the action of Stephen, abbot of Stanley, who was his deputy, in uniting the abbey of Killenny to that of Duiske.

Dated at Clairvaux, 4 December, 1229.

Omnibus Christi fidelibus ad quos presens scriptum peruenerit Frater R dictus abbas Clareuallis et eiusdem loci conuentus salutem in domino.

Quoniam uirum uenerabilem dominum S. coabbatem nostrum de Stanleg in Wyllesir ad partes Hybernice loco nostro ob ordinis in ibidem formationem, in plenitudine potestatis nobis a capitulo generali anno gratie MCCXX octauo commisse, destinare decreuimus, merito nos et zelari congruit summa diligentia prouidere, ut que statuuntur maneat illibata et preuaricandi audacia compescatur.

Nos igitur quorum interest in hac parte quam sit amica contemplatione pacis securitas et odiosa turbatio, attendentes ut omnis scrupulus tollatur in posterum et precludatur occasio malignorum, consilio unanimi et consensu ordinationes necnon et immutationes confirmationes coabbatem nostrum dicto anno facta firmiter approbamus et auctoritate nostra confirmamus; insuper uniuersis tam abbatibus quam monachis et conuersis unumcunq[ue] fuerint inperpetuum imponimus silentium, ne sit contra prefatam ordinationem aliquatenus reclamare uel ipsam quomodolibet audeant perturbare, decernentes irritum et inane quicquid in contrarium aliquo tempore impetratum uel quomodocunq[ue] fuerit attemptatum.

In huius siquidem robur et perpetuum testimonium presenti scripto sigillum nostrum duximus apponendum.

(Datum) anno gratie MCCXX nono. In Clareualle die beati Sigirani abbatis.

The original of the above charter is not extant; but we have a transcript (see p. 49) of seven charters relating to the union of Killenny with Duiske, of which this is one. It is a Confirmation of no. 30, the abbot of Stanley having acted as the abbot of Clairvaux's deputy, as we know from no. 27.

It is dated 1229 'die beati Sigirani abbatis,' i.e. 4 December.

For *Ralph de Pinis*, abbot of Clairvaux, see *Gallia Christiana*, iv, 805.

Grant by Adam de Sumeri for the good of his soul and of the soul of Clare, his wife, to the convent of Duiske, of the tithes of his lands at Denghen and Acherloski, with the obventions belonging to the chapel of these lands, after the death or cession of the possessor of the tithes, Thomas de Caunteton, rector of the church of Glennovere.

Uniuersis Sancte Matris Ecclesie filiis ad quos presens scriptum peruenit Adam de Sumeri eternam in domino salutem.

Sciatis quod ego, pro salute anime mee et Claree uxoris mee et liberorum nostrorum ac predecessorum et successorum nostrorum, dedi et concessi et hac presenti carta mea confirmaui abbati de Valle Sancti Saluatoris et monachis ibidem deo seruientibus omnes decimas terre mee que dicitur Denghen et . . . terius terre mee que dicitur Atherloski, cum omnibus obuentionibus ad capellam earundem terrarum pertinentibus, percipiendas in puram et perpetuam elemosinam iure perpetuo; postquam Thomas de Kantintune rector ecclesie de Glennouere, qui in presenti decimas possidet memoratas, de hac uita discesserit, uel uitam suam mutauerit.

Et ego et heredes mei warantizabimus abbati et conuentui domus memorate dictas decimas cum obuentionibus contra omnes homines et contra omnes feminas.

In huius donationis mee testimonium et munimen scripto presenti sigillum meum apposui.

Hiis testibus, Willelmo de Sumeri, Radulfo de Sumeri et Dauid de Sumeri fratribus meis, Roberto Dauid et Radulfo filiis meis, Willelmo de Kantintune filio Ade de Kantintune et Itheil fratre eius, Ricardo Bloet, et multis aliis.

The lands named in this instrument are the subject of later charters (nos. 50, 51, 52), from which it appears that they were in co. Cork in the diocese of Cloyne.

Denghen or *Dengheneaghnach* is probably to be identified with Ballindangan, which is near Glanworth and in the barony of Fermoy. Glanworth was anciently called *Glanore* (Glennovere = 'Gleann-iubhair,' the glen of the yew tree), and this name still remains as that of a prebend of Cloyne Cathedral.

Denghen means 'a fort' or 'stronghold,' and *Dengheneachnach* may stand for 'the Fort of the Eoganachts,' i.e. the descendants of Eoghan Mor, a branch of the clan having settled near Glanore.

Acherloski (or *Acheradloski* = 'Achad loisethi,' a rich, fertile field) was also in the barony of Fermoy.

Adam de Sumeri's seal has disappeared from this grant, which may be dated about 1230. We have already had his family before us (p. 43), several of whom are named in this document, and also in no. 50.

Several members of the de Caunteton family also appear in our charters. Here we have *William de Caunteton*, who is probably the man we have had before (pp. 21, 35), and his brother *Ithiel*, who were sons of Adam de Caunteton. *Thomas de Caunteton*, the rector of Glanore, may be identified with the person of

that name who was a clerk in the diocese of Cashel about 1219 :¹ he appears again in nos. 42, 59.

A *Richard Bluet* signed one of Strongbow's charters (before 1176),² but the witness to this instrument can hardly be the same man.

37.

Petition from G., abbot of Citeaux, and the General Chapter of the Cistercian Order, to Pope Gregory IX, to confirm the union of the abbey of Killenny with the abbey of Duiske as directed by the abbot of Froidmont as Visitor (no. 19), on the general ground that a Cistercian house ought not to be maintained separately if it cannot support an abbot and twelve monks.

Dated 1230.

Beatissimo patri et domino G. dei gratia Summo Pontifici suus Frater G. dictus abbas Cistercii et totus conuentus abbatum capituli generalis se ipsos ad pedes, et tam deuotum quam debitum in omnibus famulatum.

Sanctitati uestre necessarium duximus reclamare quod ante hos annos, uisitatione facta per co-abbatem nostrum Frigidi Montis in abbatia Vallis Dei in Hybernia illuc in potestate plenaria ordinis nostri, per nos missum cum eam inueniret possessionibus et rebus ita extenuatam quod nec sibi sufficere posset nec transeuntibus hospitibus et pauperibus iuxta morem ordinis caritatis obsequia ministrare, idem uisitator ne diuina domus in se ipsa omnino marcesseret et pro defectu necessariorum rigor ordinis in ea penitus deperiret, ipsam in grangiam prouida discretione redegit et domui Sancti Saluatoris in Hybernia cum omnibus pertinentiis suis perpetuo iure concessit; laudabili nostri ordinis consuetudini et antiquorum patrum constitutioni inherendo qua utiliter dispensatur ne aliqua domus maneat abbatia que duodecim monachis et abbati cum honestate non possit sufficere.

Nos igitur factum tale sicut prouide factum est approbantes et assensu capituli generalis sigillo nostro confirmantes beatitudini uestre supplicamus attentius quatenus illud uestro dignemini confirmationis munere roborare et latorem presentium propter hoc ad pedes sanctitatis uestre directum in hiis et in aliis negotiis suis habere plenius commendatum, maxime cum metropolitani insimul et diocesanus, una cum capitulo suo cathedrali, necnon et princeps terre ordinationi dicte assensum probuerint, et instrumentis publicis et autenticis sigillis suis munitis duxerint confirmandum.

Bene et diu conseruet dominus sanctitatem uestram ecclesie sue sancte.

Datum anno gratie MCCXXX tempore capituli generalis.

The seal remains attached to this document, but all that can be read of the legend on it is ✠ SI IS ✠

An early transcript of the Petition is also extant in an *Inspeximus of Charters* 55, 37, 39, 64, 65, which ends thus:

“Nos igitur predictorum patrum autenticis inspectis, presentem Hybernie

¹ R.T.A. 239.

² C.M.A. ii, 154.

guerram diuersaque pericula de uariis causis emergentia pro oculis habentes, et tanto negotio debita discretione et diligentia pro posse nostro tute prouidere cupientes, dictis autenticeis tutissime reconditis, transcripta eorundem de uerbo ad uerbum fidelium exonerata cum sigillorum nostrorum testimonio nobis recitanda ad maiorem fidem faciendam ad instanciam predictorum patrum m . . . decreuimus."

The date of this *Inspeximus* is not given. See p. 52 for a similar form.

38.

Grant by John St. John, bishop of Ferns, with the consent of his chapter, to the convent of Duiske of all the land of Kilalchuy, with its appurtenances, for an annual rent of ten shillings, to be paid half-yearly, at Easter and Michaelmas.

Uniuersis Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit J. dei gratia Fernensis episcopus eternam in Domino salutem.

Ad uniuersitatis uestre noticiam uolumus peruenire nos diuine caritatis intuitu et sacrosancte religionis obtentu, de assensu et consensu canonicorum nostrorum et totius capituli nostri de Fernes, dedisse et concessisse et hac presenti carta nostra confirmasse Deo et Sancte Marie et monachis de Valle Sancti Saluatoris Cisterciensis ordinis totam terram de Kilalchuy cum omnibus suis pertinentiis et cum omnibus libertatibus et liberis consuetudinibus ad prefatam terram spectantibus; tenendam et habendam de nobis et successoribus nostris in perpetuum libere quiete integre et pacifice;

reddendo inde annuatim nobis et successoribus nostris decem solidos esterlingorum, uidelicet ad Pascha quinque solidos et ad festum Sancti Michaelis quinque solidos pro omni seruicio et exactione que nos uel successores nostros quocumque casu possint contingere.

Insuper eciam eisdem ecclesiam de Kilalchuy cum omnibus suis pertinentiis in puram et perpetuam elemosinam caritative concedimus et confirmamus.

Ut autem hec nostra donatio et confirmatio perpetuam forciantur firmitatem presenti scripto sigillum nostrum una cum sigillo capituli nostri cathedralis duximus apponendum.

Hiis testibus, Reginaldo archidiacono Fernensi, Magistro Galfrido de Sancto Johanne tunc officiali Fernensi, Magistro Willelmo de Foresta tunc officiali Ossoriensi, Magistro Adam de Oxonia, Magistro Waltero de Wexford, Domino Willelmo de Prendelgast, Radulfo de Sumeri, Daud de Sumeri, Daud de Hinteberge, et multis aliis.

A *précis* of this charter is given in the extracts from the Duiske papers which we have called L (fol. 32). The chapter seal attached to it is preserved; but of the bishop's seal only a small piece remains. There is another copy of a similar charter extant, sealed, but without the names of witnesses, in which the land in question is called *Kilchomoch*, and is granted "cum omnibus decimis et obuentionibus ipsam contingentibus."

The place *Kilalchuy* or *Kilchomoch* or *Kildalagan* (as it is described in L) or *Killacy* (as Ware calls it) is among various places resigned to the bishop of Ferns and his chapter by an agreement with Gerald de Prendergast in the year 1230.¹ In that agreement it is called *Killaletan*, and it may safely be identified with the modern *Killalligan* in Monart parish, in the barony of Scarawalsh, co. Wexford. Several of the persons named in this agreement are concerned with the charter now before us, and the two instruments must be of the same date, i.e. the latter part of the year 1230.

John St. John, who was the first Anglo-Norman bishop of Ferns (1223–1253), became Treasurer of the Exchequer at Dublin in 1226. *Reginald de Dene* was archdeacon of Ferns between 1223 and 1230, in which latter year he died.² *William de Foresta* or *Forest* was first ‘official’ of Ferns, and afterwards ‘official’ of Ossory. (The duties of an ‘official’ were akin to those discharged by a Chancellor or Vicar-General.) In the former capacity he appears in a charter of Dunbrody Abbey about 1228,³ and in the Agreement between the bishop and Gerald de Prendergast above mentioned. He attests without any designation of his office a Kells charter of about the year 1228, and two other charters of Gerald de Prendergast about 1230.⁴ At the time when he attested our Charter 38, he was official of *Ossory* (not of Ferns, the official of Ferns being *Geoffrey St. John*, who afterwards became bishop of that see), and in this capacity he also attested a charter later than 1232,⁵ and a charter made in the time of Luke, archbishop of Dublin (1228–1255).⁶

Adam of Oxford is probably the ‘magister Adam’ who attested another of bishop John St. John’s charters about 1230.⁷ *William de Prendergast* we have had before (p. 42); he was a witness to the agreement above mentioned between bishop John St. John and Gerald de Prendergast, his kinsman, as was also *Ralph de Sumeri*, for whom, as for his brother *David de Sumeri*, see p. 43.

Walter de Wexford was a witness to the grant made to the Dominicans at Kilkenny by bishop Geoffrey de Turville (1244–1250).⁸

For the family of *David de Hinteberg* see p. 17.

39.

Confirmation by Pope Gregory IX of the union of the abbey of Kilkenny with the abbey of Duiske.

Dated at the Lateran, 9 Jan., 1231.

Gregorius episcopus servus servorum dei dilectis filiis abbati et conventui Sancti Saluatoris in Hibernia Cisterciensis ordinis salutem et apostolicam benedictionem.

Solet annuere sedes apostolica piis votis et honestis petentium precibus fauorem beniuolum impertiri. Ex parte siquidem uestra fuit nobis humiliter supplicatum ut, cum . . abbas Frigidi Montis Cisterciensis ordinis totiusque

¹ See Hore’s *Ferns*, p. 343.

² Addl. MSS. Brit. Mus. 4793, fo. 15, as quoted in Hore’s *Ferns*, p. 347.

³ C.M.A. ii, 172.

⁴ R.T.A. 186, 189.

⁵ R.T.A. 346.

⁶ Hore’s *Duncannon Fort*, p. 312.

⁷ R.T.A. 190.

⁸ Carrigan, i, 38.

eiusdem ordinis tunc in Hibernia uisitor domum de Valle Dei cum pertinentiis suis, uenerabilium fratrum nostrorum. . . . Dublinensis archiepiscopi, . . . Lechlinensis episcopi eius suffraganei diocesani, et nobilis uiri W. Marescalli Comitis Pembrochie domini loci accedente consensu, deliberatione prouida pro eo quod fratribus eiusdem ordinis degentibus tunc in ipsa in multorum scandalum dissolute uiuentibus paupertate nimia primebatur, grangiam esse statuerit, uobisque concesserit ut ipsam possitis tamquam grangiam perpetuo possidere, quod super hoc ab eodem abbate Frigidi Montis prouide factum est, dignaremur apostolico munimine corroborare :

Nos ergo uestris iustis precibus inclinati quod super hoc dicto abbate Frigidi Montis rite ac prouide . . . et in litteris confectis exinde dicitur plenius contineri, auctoritate apostolica confirmamus et presentis scripti pa(trocinio) comunimus.

Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere uel ei ausu temerario contraire.

Si quis autem hoc attemptare presumpserit indignationem dei omnipotentis et beatorum Petri et Pauli apostolorum eius se nouerit incursum.

Datum Laterani V Idus Januarii pontificatus nostri anno quarto.

We have not the original of this charter, but an early transcript is extant (see p. 63). Neither of this instrument, nor of no. 40, is there any note in the published *Calendar of Papal Letters*.

40.

Confirmation by Pope Gregory IX of the agreement between Peter, bishop of Ossory, with his chapter, and the convent of Duiske, as to the churches of Tulachany and Tikerlevan (no. 31), mediated by the abbot of Savigny, then abbot of Stanley, and the subprior of Stanley, now the abbot.

Dated at the Lateran, 20 Jan. 1231.

Gregorius episcopus seruus seruorum dei dilectis filiis abbate et conuentui Sancti Saluatoris in Hibernia Cisterciensis ordinis salutem et apostolicam benedictionem.

Ea que iudicio uel concordia terminantur firma debent et illibata persistere, et, ne in recidiue contentionis scrupulum labantur, apostolico conuenit presidio communiri.

Eapropter dilecti in domino filii uestris iustis postulationibus inclinati, compositionem que, inter uos ex parte una et uenerabilem fratrem nostrum episcopum et capitulum Ossoriense ex altera, super de Thulachannu et de Stannakhurlewan ecclesiis decimis possessionibus et rebus aliis, mediantibus . . . abbate de Salbiniaco tunc abbate de Stanleia uisitatore totius ordinis in Hibernia et . . . subpriore de Stanleia nunc abbate loci eiusdem, amicabiliter interuenit, sicut sine prauitate prouide facta est, et ab utraque parte spectate recepta et hactenus pacifice obseruata, auctoritate apostolica confirmamus et presentis scripti patrocinio comunimus.

Nulli ergo omnino hominum liceat paginam nostre confirmationis infringere uel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit indignationem omnipotentis dei et beatorum Petri et Pauli apostolorum eius se noverit incursurum.

Datum Laterani xiii Kalend Februarii pontificatus nostri anno. . . .

This was probably executed about the same time as no. 39. The possession of the churches of Tulachany and Tikerlevan was the subject of many negotiations between the diocesan and the conventual authorities (see Charters 8, 9, 10, 23, 24, 26, 31); and it would seem from the language of this instrument that agreement had finally been reached by the good offices of *Stephen, abbot of Stanley*, who came as Visitor-General of the Cistercian order in Ireland to inspect the Irish Cistercian houses.¹

41.

Granted by Gerald de Prendergast, for the good of his soul, &c., to the convent of Duiske, of Rathboghal in Bantry, with three carucates of land in fee, which Roger Galgheil held from his father Philip de Prendergast (see no. 17) and Richard de Marisco granted to the convent (no. 16); and also of Rathsalach, with two carucates of land which they hold from the prior and monks of Glascarrig; these five carucates to be free from rent, except for half a mark which Philip de Hinteberg and his heirs ought to pay instead of the escheats of the two carucates of Rathsalach.

Uniuersis Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit Geraldus de Prendelgast in domino salutem.

Nouerit uniuersitas uestra me pro salute anime mee et animarum antecessorum meorum et successorum concessisse et hac presenti carta mea confirmasse Deo et abbacie Sancte Marie de Valle Sancti Saluatoris et monachis ibidem deo seruientibus Rathbachlach cum tribus carrucatis terre in feodo de Bentrie, illam scilicet quam Rogerus Galgheil tenuit de patre meo et Ricardus de Marisco eisdem monachis dedit et incartauit.

Insuper concessi et confirmaui predictis monachis memorati loci Rathsalach cum duabus carrucatis terre quas ipsi tenent de priore et monachis de Glascarrach, que terra sita est iuxta dictas tres carrucatas uersus aquilonem in dicto feodo de Bentrie.

Preterea dedi concessi et confirmaui memoratis monachis omnem redditum et omne seruicium quod ad me uel ad heredes meos de dictis quinque carrucatis terre pertinent uel pertinere poterunt in puram et perpetuam elemosinam, salua mihi et heredibus meis dimidia marca argenti quam Philippus de Inteberge et heredes sui annuatim mihi et heredibus meis soluere debent, pro ascheanciis† que accidere possent de dictis duabus carrucatis terre de Rathsalach; quam dimidiam marcam si predictus Philippus et heredes sui mihi et

¹ See p. 53 for Stephen de Lexinton.

heredibus meis non persoluerint, non tenebuntur monachi nec terre eorum nec homines sui inde respondere; scilicet ad me et ad heredes meos pertinebit dictum Philippum et heredes suos compellere ad illius dimidie marce solutionem, ita quod monachi erunt quieti ab omni uexatione et demanda.

Volo igitur ut predicti monachi habeant et teneant dictas quinque carrucatas terre plenarie et integre et quiete ab omni demanda omnimodo uexatione omni seruicio seculari et exactione, quantum ad me pertinet et ad heredes meos.

Et ut hec donatio mea concessio et confirmatio stabilis permaneat in perpetuum et inconcussa, presens scriptum sigilli mei munimine roborauit.

Hiis testibus, Willelmo Crasso primogenito, W. Crasso juniore, David de Sumeri, Ricardo de Marisco, Nicholao le Marchis, Roberto Huscard, Johanne Fossard, Galfrido Walensi, et multis aliis.

The seal is still attached to this charter.

Gerald de Prendergast, son of Philip de Prendergast (see p. 21), was married, *first* to Matilda, sister of Theobald Walter the Second (see p. 32), and *secondly* to a daughter of Richard de Burgh. He succeeded to the Duffrey estates near Enniscorthy in 1229, and took possession late in the year 1230. He died in 1251. This instrument is probably about the same date as no. 38, viz. 1230 or 1231.

The acquisition by the convent of land at *Rathboghal* has been before us in previous charters (nos. 16, 17); but *Rathsalach* has not been mentioned by name previously. The two carucates at the latter place, however, were evidently the two carucates in Bantry of which the convent was put in possession in 1223 (see p. 35) by the prior and monks of Glascarrig.

Philip de Hinteberg is evidently the same person as the man of that name who was a witness to *Richard de Marisco's* grant of *Rathboghal* (no. 16). See p. 17 for the Hinteberg family. As was fitting, *Richard de Marisco* or Marsh witnessed the present charter, which was of the nature of a confirmation by his overlord of his original benefaction.

We have had before the brothers *William Crassus senior* and *William Crassus junior* (p. 16); *David de Sumeri* (p. 43); *Nicholas le Marchis* or Marsh (p. 37; see also Charter 41); and *Robert Huscard* (p. 42).

Of *Geoffrey the Welshman* (Walsh) and *John Fossard* we know nothing.

42.

Grant by Nicholas le Marchis, for the good of his soul, &c., to the convent of Duiske, of the fish-pond called Cordredan, with its liberties, &c., to hold free of rent for ever.

Sciunt presentes et futuri quod ego Nicholaus le Marchis pro salute anime mee et uxoris mee et antecessorum et successorum meorum consensu et assensu heredum meorum dedi et concessi et hac mea presenti carta confirmaui Deo et Beate Marie de Valle Sancti Saluatoris et monachis ibidem deo seruientibus in puram et perpetuam elemosinam piscariam que dicitur Chory O Dradan cum omnibus libertatibus ad ipsam pertinentibus; ita ut ipsam habeant et

teneant plenarie pacifice libere quiete, sicut ulla elemosina liberius et quiescius teneri potest.

Et ego et heredes mei hanc donationem monachis predicte domus contra omnes homines warantizabimus.

Hiis testibus, Philippo le Marchis, Roberto Uscard, Nicholao Coco, Mauricio Maccolletan, David filio Lynon, et multis aliis.

‘Coraidh’ means a fishing-weir, and the fish-pond of Chory O Dradan, or Cordredan, which was apparently a pool of the river Barrow (it is described as ‘in Odrone’ in the endorsement on the back of the charter), is mentioned again in a later deed (no. 82).

The seal of *Nicholas le Marchis* or Marsh (see pp. 37, 68) has been lost. *Philip le Marchis* was evidently a relative. *Robert Huskard* has appeared before (pp. 42, 68).

A witness named *Nicholas Coc* or *Cooke* or *Coke* appears in a Leixlip charter¹ of Adam de Hereford (see p. 49); he may be the man mentioned here.

Of *David Fitz Lynon* and *Maurice MacColletan* we know nothing. The Codhletans or Colletans were an Anglo-Irish family who settled at Aglis, co. Carlow.

The date of this charter may be about 1232, but there is nothing to fix it exactly.

43.

Confirmation by W., bishop of Ossory, to the convent of Duiske of the church of Tulachany, one mark yearly to be paid to the cathedral church of Kilkenny, the synodical dues being reserved, and the convent to provide a chaplain to the church: also confirmation of the chapels of Annamult and Grange Castri as agreed by Hugh, bishop of Ossory.

Uniuersis presens scriptum uisuris uel audituris W. dei gratia Ossoriensis episcopus eternam in domino salutem.

Quoniam ea que perpetua gaudent firmitate ad perpetuam memoriam publice debent commendari scripture, ad uniuersitatem uestram uolumus peruenire, nos diuini amoris intuitu et sacrosancte religionis obtentu concessisse et hoc presenti scripto nostro confirmasse deo et beate Marie et monachis de Valle Sancti Saluatoris Cisterciensis ordinis ibidem deo seruientibus ecclesiam de Thulachenny cum omnibus decimis et obuentionibus ipsam contingentibus, salua una marca argenti quam dicti monachi ecclesie cathedralis de Kylkenny annuatim tenentur persoluere ad duos anni terminos, uidelicet in Inuentione Sancti Crucis dimidiam marcam et in festo Sancti Cannici dimidiam marcam, pro omni consuetudine demanda et exactione, saluis tamen sinodalibus, et salua competenti sustentatione unius capellani qui eidem ecclesie deseruiet.

Per easdem concedimus insuper dictis monachis et confirmamus capellam

¹ C.M.A. i, 236.

de Athenemold et capellam de Grangia Castri cum omnibus decimis et obventionibus ipsas contingentibus ut omnia predicta habeant et teneant de nobis et successoribus nostris in perpetuum libere et quiete honorifice et pacifice in usus proprias, saluis tamen sinodalibus nobis et successoribus nostris sicut continetur in autentico pie memorie Hugonis episcopi predecessoris nostri; in uirtute obediencie iniungentes et sub pena anathematis prohibentes ne archidiaconus uel aliquis alius a predictis monachis uel eorum capellanis ibidem seruientibus ratione procurationis in preiudicium huius nostre confirmationis aliquid attemptare presumat.

Et ut hec nostra confirmatio et concessio rata permaneat et inconcussa presenti scripto sigillum nostrum duximus apponendum.

Hiis testibus uiris uenerabilibus, M. de Kenles, et A. de Instioch, tunc prioribus, Magistro Henrico de Pembroch, Thoma rectore ecclesie de Kallan, et aliis.

This charter is an episcopal confirmation of previous grants (see nos. 7, 9, 10, 24, 26, 31).

The endorsement (not contemporary) on the back of the charter gives the bishop's name as William, but this is a mistake. William of Kilkenny was, indeed, elected bishop of Ossory after the death of Peter Malveisin, but he refused the office and was not consecrated until 1255, when he became bishop of Ely (see p. 81). The bishop who granted the charter before us was *Walter de Brackley*, who succeeded to the see of Ossory in 1232. It is probable that the instrument was executed shortly after his accession, so that it may be placed at the end of 1232 or the beginning of 1233.

Of the witnesses we have already had *Alured*, prior of *Inistioge* (p. 37), and *Thomas*, rector of *Callan* (p. 31). The Christian name of M., prior of *Kells*, may have been *Martin*, as that name appears among the priors about this period in Ware's Abstract of the Charters of Kells.¹ *Henry of Pembroke* was dean of Ossory at a later date.²

44.

Confirmation by W., bishop of Ossory, to the convent of Duiske of the vill of Tikerlevan; the convent to maintain a chaplain there, and to pay an annual rent of twenty shillings to the cathedral church of St. Canice, Kilkenny, the episcopal dues being reserved.

Uniuersis Christi fidelibus presens scriptum uisuris uel audituris W. miseratione diuina Ossoriensis episcopus eternam in domino salutem.

Ad uniuersitatis uestre noticiam uolumus peruenire nos diuine caritatis intuitu et sacrosancte religionis obtentu concessisse et hoc presenti scripto nostro confirmasse Deo et Beate Marie Virgini et monachis de Valle Sancti Saluatoris Cisterciensis ordinis ibidem Deo seruientibus uillam de Stacmakerlewan cum omnibus suis pertinentiis, tenendam et habendam de nobis et

¹ Carrigan, iv, 61.

² Carrigan, i, 38.

successoribus nostris inperpetuum integre plenarie et pacifice, cum natiuis et omnibus aliis libertatibus et liberis consuetudinibus ad dictam uillam pertinentibus ;

reddendo inde annuatim cathedrali ecclesie de Kilkenny uiginti solidos sterlingorum ad duos anni terminos, uidelicet in Inuentione Sancte Crucis decem solidos et in festo Sancti Kanici decem solidos, pro omni seruicio seculari et exactione.

Insuper concedimus et confirmamus dictis monachis ecclesiam eiusdem uille cum omnibus decimis et obuentionibus ipsam contingentibus tenenda et habenda de nobis et successoribus nostris inperpetuum in usus proprios, sicut continetur in autenticis predecessorum nostrorum libere quiete integre et pacifice, saluis tamen sinodalibus nobis et successoribus nostris et salua competenti sustentatione unius capellani qui eidem ecclesie deseruiet per eosdem.

Nos igitur in uirtute obedientie firmiter iniungentes sub pena anathematis prohibemus, ne archidiaconus uel aliquis alius a dictis monachis uel eorum capellanis ibidem celebrantibus in preiudicium huius nostre confirmationis ratione procurationis alicquid attemptare presumat.

Et ut hec nostra concessio et confirmatio in posterum rata permaneat et inconcussa presenti scripto sigillum nostrum duximus apponendum.

Hiis testibus uiris uenerabilibus, M. de Kenlis, A. de Instioch, tunc prioribus, Magistro Henrico de Pembroch, Domino Thoma rectore ecclesie de Kallan, et aliis.

This charter was probably executed on the same day as no. 43 (the witnesses being the same), i.e. at the end of 1232 or the beginning of 1233. The original grant of the vill of Tikerlevan is recorded in Charter no. 8.

45.

Confirmation by Luke, archbishop of Dublin, to the convent of Duiske of Charters no. 26 and no. 28, *supra*.

Dated at Kilkenny, 25 Feb. 1233.

Uniuersis Christi fidelibus ad quos presens scriptum peruenerit, Lucas dei gratia Dublin : ecclesie minister humilis eternam in domino salutem.

Ad sacre religionis institutionem et incrementum sicut ex officii debito nobis incumbit propensius invigilare, ita ut instituta fructificent tenemur studiosius procurare, et precipue uiros religiosos pia et paterna affectione protegere et confouere, diuine igitur remunerationis intuitu et exemplo pie recordationis domini H. quondam Dublinensis archiepiscopi predecessoris nostri prouocati, quasdam terras et quedam beneficia que bone memorie P. Ossoriensis episcopus dilectis in Christo filiis abbati et monachis de Sancto Salvatore Cisterciensis ordinis pietatis intuitu concessit et confirmauit, eadem beneficia et terras predictas auctoritate metropolitana prout in carta memorati episcopi et ipsius cyrographo continentur una cum ceteris beneficiis

que eisdem pia fidelium largitione collata fuerint aut in posterum iuste conferrentur concedimus et confirmamus.

Que propriis duximus exprimenda uocabulis: "Videlicet ecclesiam de Thilachanni cum omnibus pertinentiis suis et cum decimis grangie quam ibi habent, salua una marca quam soluent ecclesie cathedrali de Kilkenny, &c. [*as in no. 26, down to*] concedimus et confirmamus."

Compositionem etiam inter bone memorie R. quondam Leclinensem episcopum necnon et W. tunc archidiaconum nunc uero episcopum eiusdemque ecclesie capitulum ex una parte et abbatem et conuentum de Valle Sancti Saluatoris prefatos ex altera super querellis subscriptis ratam habemus et confirmamus sub hac forma "Omnibus Sancte Matris Ecclesie . . [*as in no. 28, down to*] Hiis testibus, &c." Nos igitur quorum interest pro officii debito paci et tranquillitati ecclesiarum prouidere et litium occasiones presecindere que fraternam non nunquam offendunt et minuunt caritatem dictam compositionem ratam habentes approbamus et auctoritate metropolitana in perpetuum confirmamus.

In cuius rei robur inconcussum et testimonium presens scriptum sigilli nostri appositione muniuimus.

Datum quinto Kalend: Marci pontificatus nostri anno quinto apud Kilkenny.

Only half remains of the seal of Luke, archbishop of Dublin. His election to the see was confirmed by the King on 13 December, 1228; but, as there had been some irregularity, it was not confirmed by the Pope until 1229. He was consecrated 30 April, 1230. Thus, it is not possible to be certain as to the date from which the "years of his pontificate" begin; but here, and in no. 34, *supra*, we have reckoned them to run from 1228, the year of election. If the starting-point should be 1230, the year of consecration, nos. 34 and 45 should be dated 1231 and 1235 respectively.

46.

Quit claim by Sir Robert de Cardiff, for the good of his soul, &c., after a controversy between himself and the convent of Duiske, as to a ditch which is on his land.

Uniuersis Christi fidelibus presentes literas inspecturis uel audituris Robertus de Cardif miles eternam in domino salutem.

Nouerit uniuersitas uestra quod super quadam controuersia inter me ex una parte et monachos Sancti Saluatoris ex alia oborta, uidelicet de quodam fossato quod dicti monachi iuxta pratum quod tenent de me in terra mea fecerunt uersus orientem, ita conuenit inter nos quod ego pro anima mea et uxoris mee et antecessorum et successorum nostrorum omnem clamationem quam habui uersus dictos monachos in dicto fossato quietam clamaui, et totam terram infra fossatum predictam una cum fossato illo presenti carta eisdem monachis in perpetuum confirmaui.

Hiis testibus, Reginaldo de Kerneth, tunc vicecomite de Kilkenny, Rogero Russel, Ris Beketh, Robino de Carreu, Alfredo Blundo, et multis aliis.

Robert de Cardiff's seal has disappeared. We have met with him already in a dated charter of 1227 (see p. 47), and this quit-claim may provisionally be assigned to the year 1233 or thereabout.

For *Reginald de Kernet* see pp. 35, 40; and for *Roger Russell* see p. 40.

There were at least two people named *Ris Beket*, who are concerned in these charters, and they were probably father and son. The elder, who appears here, must be of kin to the 'Resus Bechet' who witnessed a grant of land in Idrone to Mary's Abbey in 1202;¹ and we take him as identical with the man who witnessed no. 59 about 1255, and no. 60 in 1256. Then we meet with 'Ris Beket junior' in 1278 (Charters 71, 72), the signature indicating that the elder man was still alive. In the later charters 77, 80, 81, 'Ris Beket' is named without any note of juniority, so that Ris Beket the elder had probably died previously to their execution.²

The presence of *Robin de Carew* as a witness recalls the fact that it was a Carew deed which the earliest of the Ris Bekets witnessed in 1202.

Alfred Blund appears again in the next Charter (47).

47.

47. Grant by Robert de Cardiff, for the good of his soul, &c., to the convent of Duiske of three acres of meadow near Seskin, free of rent.

Sciatis presentes et futuri quod ego Robertus de Kaerdif dedi et concessi et hac presenti carta mea confirmaui Deo et beate Marie matri eius et conuentui de Valle Sancti Saluatoris tres acras prati que iacent proximo iuxta Seskin pro salute anime mee et Tes . . ce uxoris mee ac liberorum nostrorum, habendas perpetuo et tenendas in puram et perpetuam elemosinam liberas et quietas ab omni seruitio et exactione que uel ad me uel ad heredes meas pertineat.

Et ego et heredes mei warantizabimus tres predictas acras prati memorati conuentui de Valle Sancti Saluatoris contra omnes homines et contra omnes feminas.

In huius donationis mee testimonium presenti scripto meum apposui sigillum.

Hiis testibus, Rogero Russel, Waltero filio meo, Willelmo Chapun, Alueredo Blundo, de Kiltan, Roberto Blundo de Kilbledhi, Johanne filio, et multis aliis.

Robert de Cardiff has appeared before (see pp. 40, 72), and we learn from this charter and from no. 60 that he had two sons, *Walter* and *Richard*, his wife's name being almost obliterated in the deed before us. *Seskin* is still the name of a

¹ C.M.A. i, 113.

² A Ris Beket appears in 1307 as holding lands in co. Cork (*Cal. of Irish Justiciary Rolls*, ii, 367-9).

townland in the parish of St. Mullins, in the electoral division of Ballymurphy, co. Carlow, not far from Ballybeg, or Ballybegan, the name given to Richard de Cardiff's holding in Charter 60, in which this grant by *Robert de Cardiff* is mentioned.

Roger Russell and *Alfred Blund* were witnesses to Charter 46, as well as to this. These Blunds evidently were neighbours, and are to be distinguished from the Blunds of Callan (see no. 88). A Robert le Blound held lands in the neighbourhood of New Ross, from Roger Bigod, earl of Norfolk, at the beginning of the fourteenth century,¹ and he was probably of the same family. The *Robert Blund* who appears here is described as of Kilbleddi (Cell Bléidini), but we have not succeeded in identifying the place.

Another witness, whose name is illegible, is described as 'de Kiltan.'

The deed may, provisionally, be assigned to the year 1233 or thereabouts.

48.

Grant by William de St. Leger, for the good of his soul and of the soul of Isabel, his wife, to the convent of Duiske of the river dividing his land of Tullaghanbrogue from the convent land at Tulachany, with all other rivers in his holding at Tullaghanbrogue, that the monks may erect a mill; twenty crannocks of corn to be ground for his house every year free of toll.

Sciant presentes et futuri quod ego Willelmus de Sancto Leodegario pro salute anime mee et Ysabele uxoris mee et pro salute parentum meorum atque omnium antecessorum ac successorum meorum dedi et concessi et hac presenti carta mea confirmaui abbati et monachis de Valle Sancti Saluatoris ordinis Cisterciensis totum riuulum qui facit diuisas inter terram meam de Thulachanbroc et terram dictorum monachorum de Thulachenny cum omnibus aliis riuulis totius tenementi mei de Thulachbroc, quoscumque poterunt deducere qualicumque arte sine detrimento pratorum meorum ad construendum molendinum ubi uiderunt sibi et suis successoribus expedire loco competenti, habendum de me et heredibus meis sibi et successoribus suis in liberam puram et perpetuam elemosinam in perpetuum.

Dicti uero abbas et monachi de Valle Sancti Saluatoris concesserunt et quietum clamauerunt mihi et heredibus meis pro se et successoribus suis, molituram uiginti cranocorum de domo mea propria et heredum meorum singulis annis a theloneo immunem.

Ut autem hec mea donatio concessio et confirmatio rata et stabilis in posterum permaneat presentem cartam sigilli mei munimine coraboraui.

Hiis testibus, Willelmo filio Mauricii, Reso de Arderne, Willelmo Baratin, militibus, Rogero de Pembrok tunc uicecomite de Kilkenny, Galfrido Scortals, Gileberto Tonere, Waltero de Mora, et multis aliis.

The date of this charter cannot be fixed precisely, but from the names of the witnesses it was probably executed about 1235.

¹ Hore's *New Ross*, p. 171.

We have met with *William de St. Leger* before (p. 21). The river which is the subject of the grant is now called the King's River. For *Tullaghanbrogue* see p. 21 ; for *Tulachany*, p. 20 ; and for *William Fitz Maurice*, the first witness, p. 39.

Ris de Arderne witnessed a charter of Dunbrody Abbey, granted by Walter Marshal between 1241 and 1245 ;¹ and he appears in 1246 as holding Marshal lands.² *William Baratin*, who is described as a knight (as well as *Ris de Arderne*), *Geoffrey Scortals*,³ and *Gilbert Thunder* were all witnesses of John Fitz Geoffrey's Charter to Kells,⁴ which was executed after 1234.

Roger de Pembroke appears as witness to several charters, e.g. *William Fitz Geoffrey's* charter to Kells about 1215 ;⁵ and the charter granted by Walter Marshal to Dunbrody between 1241 and 1245,⁶ already mentioned as signed by *Ris de Arderne*. He held Marshal lands in 1246.⁷ He is here described as *vicecomes*, i.e. sheriff, of Kilkenny. See no. 59, *infra*.

Of *Walter de Mora* (or, perhaps, *de Mera* ; see no. 77) we know nothing. A person of the same name appears as holding lands in co. Wexford in 1281.⁸

49.

Letters of W., bishop of Leighlin, certifying that Laurence of London, precentor, had renounced his title to the Church of Dunmatathec in Idrone, to which he had formerly been presented by the convent of Duiske.

Dated at Lechdufthy Feb., 1236.

Uniuersis presentes literas inspecturis uel audituris W. dei gratia Lechlinensis episcopus eternam in domino salutem.

Noueritis quod cum aliquando abbas et conuentus de Valle Sancti Saluatoris ad ecclesiam de Dunmatathec in Odrone cum suis pertinentiis magistrum Laurentium de London precentorem nostrum nobis presentassent, processu temporis idem L. mutando consilium omni iure quod habuit pretextu dicte presentationis in nostra presenciam constitutus sponte et mere renunciavit, et literas suas renunciationis coram nobis in capitulo nostro apud Lechdufthy ad instanciam dictorum abbatis et conuentus legi fecimus.

In cuius rei testimonium presenti scripto sigillum nostrum apponi fecimus. Actum apud Lechdufthy anno gratie MCCXXXV mense Februario.

We have had the church of *Dunmatathec* or *Duntnactathec* before (p. 36).

The bishop was *William le Chauniur*, who held the see of Leighlin from 1228 to 1251.

Of *Laurence of London*, the precentor, we know nothing more.

Of *Lechdufthy* we have not identified the situation.

¹ C.M.A. ii, 164.

² C.M.A. ii, 406.

³ Shortallstown Chapel appears in the Red Book of Ossory as in the Deanery of Kells, co. Kilkenny ; for the Shortall family, see Graves, *History, &c., of St. Canice's Cathedral*, p. 165.

⁴ *Chartae, &c.*, p. 17 (where it is wrongly dated).

⁵ *Chartae, &c.*, p. 16.

⁶ C.M.A. ii, 164.

⁷ C.M.A. ii, 406.

⁸ Hore's *New Ross*, p. 11.

Grant by David de Sumeri, for the good of his soul and of the soul of Margaret, his wife, to the convent of Duiske of the chapel of Dengheneaghnach, with its tithes and obventions, and those of Acherloski.

Omnibus Sancte Matris Ecclesie filiis ad quos scriptum peruenerit, Dauid de Sumeri eternam in domino salutem.

Nouerit uniuersitas uestra me pro salute anime mee et Margarete uxoris mee et patris mei et matris mee et omnium predecessorum et successorum nostrorum dedisse et concessisse et hac presenti carta confirmasse domui de Valle Sancti Saluatoris et monachis ibidem deo seruientibus capellam de Dengeneaghnach cum decimis et obuentionibus uniuersis ad eam pertinentibus, scilicet decimas et obuentiones de Dengheneaghnach et de Acheradloski, habendas et possidendas iure perpetuo in puram et perpetuam elemosinam liberam et quietam ab omni exactione et demanda que ad me uel ad heredes meas pertineat, siue capella predicta ut capella permaneat siue in matricem ecclesiam prouehatur.

In huius rei testimonium presens scriptum monachis dicti domus de Valle Sancti Saluatoris contuli sigilli mei munimine roboratum.

Hiis testibus Radulfo de Sumeri, Dauid de Sumeri, patruis meis, Radulfo et Willelmo fratribus meis, Dauid de Rupe, Adam Taleboth, Ythel de Kantintone, Adam de Kantintone, Philippo de Kantintone, Roberto de Kantintone, et multis aliis.

This charter may be approximately dated as of the year 1237. It must be prior to no. 51, which in its turn cannot be later than 1237.

This grant is confirmatory of Charter no. 36, and has to do (see p. 62) with tithes in the diocese of Cloyne.

For the *de Sumeri* family, see p. 43. The grantor in this instance was *David de Sumeri* the younger.

Members of the family of *Roche* or *de Rupe* appear several times in our charters. Among the Flemings who came to Ireland at the time of the Anglo-Norman conquest was one Robert Fitz Godobert, enfeoffed near Wexford, whose sons, David, Henry, and Adam, took the name of *de la Roche*, from the castle still known as Roch Castle near Haverfordwest.¹ *David Roche*, probably to be identified with the witness to this charter who bore that name, appears in 1229² as the father of Raymond and Gerald Roche (see nos. 71, 72).³ He may be the same man as *David Rochejard* who held Marshal lands in Kilmocarr, co. Kilkenny, in 1246,⁴ and who appealed in 1245 in a suit against William and *David de Sumeri*.⁵

For *Ithiel de Caunteton*, who was son of Adam de Caunteton, see p. 62. Probably the *Adam de Caunteton* who appears here was, in his turn, son of Ithiel.

Adam Taleboth or Talbot does not seem to be known elsewhere.

¹ Orpen, *l.c.*, i, 392.

² C.D.I. i, 1679.

³ For the Roche family see Graves, *Presentments of Irish Grievances temp. Hen. VIII*, p. 52, note.

⁴ C.M.A. ii, 405; cf. R.T.A. 140.

⁵ C.D.I. i, 2763.

51.

Grant by D., bishop of Cloyne, at the presentation of David de Sumeri, the patron [no. 50], to the convent of Duiske, of the chapel of Dengheneaghnach, and of Acherloski.

Omnibus Christi fidelibus has literas uisuris vel audituris D. dei gratia Clonensis episcopus eternam in domino salutem.

Nouerit uniuersitas uestra nos diuine caritatis intuitu et ad presentationem Daudid de Sumeri patroni dedisse et concessisse dilectis in Christo filiis et uiris uenerabilibus abbati et conuentui de Valle Sancti Saluatoris Cisterciensis ordinis capellam de Dengheneaghnach et de Acheradloske cum omnibus pertinentiis suis iure perpetuo in proprios usus possidendam.

In huius rei testimonium presenti scripto sigillum nostrum apposuimus.

Only a small fragment of the bishop's seal is left. This charter can be dated within a year, for *David M'Kelly*, who became (*teste* Cotton) bishop of Cloyne in 1237, was advanced to the see of Cashel in 1238. It is a confirmation of no. 50 by the bishop of the diocese.

52.

Confirmation by M., Archbishop of Cashel, of the grant made by the bishop of Cloyne [no. 51] to the convent of Duiske, of the chapels of Dengheneaghnach and Acherloski.

Uniuersis Christi fidelibus ad quos presens scriptum peruenerit M. dei gratia Cassellensis archiepiscopus salutem in domino.

Nouerit uniuersitas uestra nos capellam de Denghenoghnacht et de Acheradhloski cum omnibus pertinentiis suis abbati et conuentui de Valle Sancti Saluatoris Cisterciensis ordinis sicut melius et plenius carta uenerabilis in Christo fratris Clonensis episcopi cettatur[†] iure perpetuo possidendam confirmasse.

In cuius rei testimonium presenti scripto sigillum nostrum apponi fecimus. Valeat uniuersitas uestra in domino.

The archbishop's seal has gone. *Marian O'Brien*, archbishop of Cashel, died before October, 1237, so that this instrument (which is the confirmation by his metropolitan of the bishop's grant set out in no. 51) must belong to that year.

The archbishop of Cashel and the abbots of Duiske and Jerpoint appear as Papal Mandatories in 1240.¹

¹ *Cal. of Papal Letters*, 1240, 17 Kal. Dec.

53.

Inspeximus, at the petition of the convent of Duiske, by G., bishop of Ossory, of the Privilegium, granted by Pope Innocent IV to the Cistercian Houses in Ireland, exempting them from tithes.

Dated at the episcopal manor of Loch, 14 Feb., 1245.

Uniuersis Sancte Matris Ecclesie filiis ad quos presens scriptum peruenerit G. diuina miseratione Ossoriensis ecclesie humilis minister eternam in domino salutem.

Nouerit uniuersitas uestra nos priuilegium domini pape Innocentii quarti sub hac forma inspexisse :

“Innocentius episcopus seruus seruorum dei dilectis filiis abbatibus et conuentibus Cisterciensis ordinis in Hibernia constitutis salutem et apostolicam benedictionem.

Solet annuere sedes apostolica piis uotis et honestis petentium precibus fauorem beniuolum impertiri. Cum igitur sicut ex parte uestra fuit propositum coram nobis ordini uestro et uobis a sede apostolica per priuilegia et indulgentias sit indultum, ut nullus a uobis de uestrorum animalium nutrimentis uel aliis, pro eo quod animalia uestra in pastura uel custodia sua habeant, decimas exigere, uel quomodolibet extorquere, presumat ; et si quis in benefactores uestros, pro eo quod aliqua uobis beneficia uel obsequia ex caritate prestiterint, excommunicationis suspensionis uel interdicti sententias promulgarit, huiusmodi sententie tanquam contra apostolice sedis indulta prelate decernuntur per eandem indulgentiam irritae ac inanes : quia nonnulli ecclesiarum prelati ordinarii et rectores, spretis priuilegiis et indulgentiis supradictis, uos et benefactores uestros super hiis multiplici uexatione fatigant, nobis humiliter supplicastis ut indemnitati nostre provide in hac parte paterna sollicitudine curaremus :

Nos igitur et uestre providere quieti et molestantium maliciis obuiare uolentes, ne quis contra indulta priuilegiorum apostolice sedis a uobis uel aliis occasione premissa huiusmodi decimas exigere, uel in uos seu alios ob hoc et eciam benefactores uestros prefatas, sententias promulgare presumat, auctoritate presentium districtius inhibemus, quas si promulgare forsan contigerit eadem auctoritate decernimus irritas et inanes.

Nulli ergo omnino hominum liceat hanc paginam nostre inhibitionis infringere uel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit indignationem omnipotentis dei et beatorum Petri et Pauli apostolorum eius se noverit incursurum.

Datum Laterani xvi Kalend : Marcii pontificatus nostri anno primo.”

Hos uero in huius rei testimonium ad petitionem abbatis et conuentus de Valle Sancti Saluatoris, eo quod singulis uiaibus ad sua negotia persequenda prefatum priuilegium propter uiarum pericula portare formidant, presenti scripto sigillum nostrum duximus apponendum.

Datum apud manerium nostrum de Loch : anno gratie MCCXLIII.
xvi Kalend : Februar : consecrationis uero nostre anno primo.

Valete.

The bishop was *Geoffrey de Turville*, who succeeded to the see of Ossory in 1244. He secured from the Crown valuable privileges for the episcopal manors of his see ;¹ *Logh* is named as one of these manors in the 'Red Book of Ossory' ; it was afterwards called 'Bishopslough.'

The fact that it was the bishop of *Ossory* (not of Leighlin) who was asked by the convent to certify the Papal Privilegium shows that Duiske was reckoned as in the diocese of Ossory at the time (see p. 25).

Innocent IV was elected Pope on 25 June, 1243, and the date of the Privilegium which he gave to the Irish Cistercian houses was 14 February, 1244. By Royal mandate of August, 1256, Cistercians, as well as other orders, were exempted from payment of tithes out of parish churches which they held to their own use.

54.

Confirmation by Matilda, Marshal of England, Countess of Norfolk and Warrenne, of the union of the abbey of Killenny with the abbey of Duiske, as decreed by the General Chapter of the Cistercian Order [in no. 22].

Omnibus presens scriptum uisuris uel audituris Matilda Marescallus Anglie Comitissa Norfolk et Warenne salutem in domino.

Nouerit uniuersitas uestra nos diuine pietatis intuitu confirmasse unionem abbacie de Killenny cum omni iure suo et omnibus rebus ad ipsam pertinentibus cum abbacia de Valle Sancti Saluatoris quam dominus Willelmus pater noster fundauit, sicut continetur in statuto et sanctione domini abbatis et capituli generalis Cisterciensium celebrati anno uerbi incarnati millesimo ducentissimo uicesimo septimo.

Et ut ista confirmatio inperpetuum firma perseueret eam presenti scripto sigilli nostri appositione roborauimus.

Hiis testibus Dominis Hugone le Bigot, Radolpho le Bigot, Adam de Hereford, Bernardo de Maruille, Rogero de London, Roberto Waspail, Johanne de Killergi, Rogero le Poer, Thoma de Kantinton, et multis aliis.

A small piece of the seal is still attached to this charter, which must have been executed after *Matilda Marshal* became "Marescallus Angliae," i.e. after December, 1245, when her last surviving brother died (see p. 32), and she succeeded to her great estates. The two first witnesses, *Hugh Bigod* and *Ralph Bigod*, were her sons (see p. 32).

The charter, of which an early transcript is also extant (see p. 49), may be assigned to the year 1246.

¹ Carrigan, i, 37.

For the de Hereford family see p. 49; *Adam de Hereford*, who appears as a witness, may be the same person as the man of that name who witnessed William Fitz Geoffrey's charter of Kells¹ in 1215, but he may just as well belong to a later generation.

Robert Waspail was witness to a charter of Gerald Prendergast (see p. 68) about 1230;² and *Roger le Poer* appears again in no. 59, where he is designated a 'knight' (*miles*), and also in unpublished Kells charters about 1230 and 1257.

For *Thomas de Caunteton* see p. 62.

John de Killergi does not seem to appear again: probably *Killergi* ought to be identified with Killerig, N.E. of Urglin, co. Carlow, where a preceptory was founded for Knights Templars by King John.

Mention is made in the Extracts from the Duiske Registers, which we cite as L, of a charter of W. bishop of Leighlin, confirming the convent of Duiske in the possession of the church of "Dunmtadge" (see no. 49). This should be noted here, as it is said to have been dated in 1249, in the 20th year of Bishop William's episcopate; but no such charter is extant; see p. 36.

55.

Confirmation by King Henry III of the union of the abbey of Killenny with the abbey of Duiske, as sanctioned by William Marshal the younger [no. 25] and the General Chapter of the Cistercian Order [no. 22].

Dated at Woodstock, 11 August, 1252.

Henricus dei gratia Rex Anglie Dominus Hibernie Dux Normannie Aquitanie et Comes Andegaue Archiepiscopis Episcopis Abbatibus Prioribus Comitibus Baronibus Justiciariis Vicecomitibus Prepositis Ministris et omnibus Balliuis et fidelibus suis salutem.

Unionem abbacie de Killenny factam abbacie de Valle Sancti Saluatoris per abbatem et capitulum generale Cisterciensium, quam Willelmus Marescallus quondam Comes Pembroke abbati et monachis predictis Sancti Saluatoris confirmauit cum suis pertinentiis ratam habentes et gratam heredibus nostris, prefatis abbati et monachis Sancti Saluatoris concedimus et confirmamus sicut instrumentum predicti capituli Cisterciensis, et confirmatio eiusdem Comitis quam idem abbas et monachi inde habent rationabiliter testatur.

Hiis testibus uenerabili patre W. Bathonensi et Wellensi episcopo, Galfrido de Lezinnan fratre nostro, Radolpho filio Nicholai, Johanne

¹ *Chartae*, &c., p. 17.

² R.T.A. 189. Westpalstown in co. Dublin derives its name from the family of Waspail (see Reeves, *Primate Colton's Visitation*, p. 13).

Maunsell preposito Beuerlacensi, Magistro Willelmo de Kilkenny archidiacono Couentry, Roberto de Mucegros, Roberto Walerand, Nicholao de Sancto Mauritio, Henrico le Petteuin, Rogero de Lokinton, Roberto le Norreys, et aliis.

Datum per manum nostram apud Wodestok undecimo die Augusti anno regni nostri tricesimo sexto.

The seal royal is still attached to this document, with part of the legend still uninjured :

HENRICVS DEI GRATIA REX — HENRICVS DUX . . . AQVITANIE COMES ANDEGAVIN.

The confirmation is also preserved in the Record Office, London,¹ and is printed by Dugdale.² A note of its existence was kept in the Extracts from the Duiske Registers, which we call E. It is on record that the fee paid by the Abbot of Duiske to obtain this royal confirmation of the union of Kilkenny with his convent was “three marks in bezants.”³

An early transcript of this valuable document has also survived (see p. 63).

All the witnesses were men of high station at the royal court. Most of them appear elsewhere as attesting other Irish charters granted by Henry III : e.g. the charters to Cork, Drogheda, and the Hospitallers of St. John of Jerusalem, which were executed respectively in the years 1241, 1247, and 1253.⁴

William de Bitton was bishop of Bath and Wells from 1248 to 1264.

Geoffrey de Lusignan, who is described as “the King’s brother,”⁵ was son of Hugh de Lusignan, count of La Marche, who had married (in 1220) Isabella of Angoulême, the widow of King John and the mother of Henry III. The king and Geoffrey de Lusignan were thus half-brothers.

Ralph Fitz Nicholas was one of the king’s seneschals.⁶ He married Alice Peche,⁷ a granddaughter of Stephen de Hereford (see p. 49).

John Maunsell was keeper of the great seal, and one of the most trusted counsellors of the king. He played a large part in public affairs, and represented his royal master in various important missions on the Continent. The provostship of Beverley was only one of his benefices, for he was a pluralist on the grand scale, being reputed to hold as many as three hundred ecclesiastical offices of emolument.

William of Kilkenny was another lawyer-ecclesiastic. He filled several legal positions of importance, among them being that of keeper of the great seal. He was Archdeacon of Coventry, and was appointed Bishop of Ely in 1255. He had been Chancellor of Ossory, and indeed was elected bishop in 1230, but was not consecrated for that see.⁸

Robert Walerand is said to have occupied a position among the knights of the royal court similar to that which John Maunsell held among the clerks.⁹ He was one of the king’s seneschals, and subsequently Warden of the Cinque Ports.¹⁰ He

¹ Charter Roll 36 Hen. III, m 5.

² *Monast. Anglicanum* (ed. 1830), vi, 1135.

³ Orig. Roll 36 Hen. III, m 14.

⁴ *Chartae, &c.*, pp. 25–28.

⁵ See *Chartae*, p. 28, and *Cal. of Papal Letters*, 3 Non Sept., 1252.

⁶ See *Royal Letters Henry III*, vol. ii, p. 95 ; and vol. i, *passim*.

⁷ R.T.A. 103.

⁸ See p. 70.

⁹ See D.N.B. s. v. “Walerand, Robert.”

¹⁰ *Royal Letters Henry III*, vol. ii, *passim*.

had a special judicial connexion with Ireland, having received custody of the Marshal estates in 1246, and he appears as 'Official of the Court of Dublin' in 1281.¹

Henry le Poitevin, or Henry of Poitou, may perhaps be identified with 'Henricus Pictavinus, a citizen of Genoa,' whose son was given a benefice in the diocese of Lincoln in 1251.²

56.

Inspeximus by King Henry III of the Charter which William Marshal the younger granted to the convent of Duiske [no. 12], and confirmation of the same.

Dated at Woodstock, 11 Aug., 1252.

Henricus Dei gratia Rex Anglie Dominus Hibernie Dux Normannie Aquitanie et Comes Andegauie Archiepiscopis Episcopis Abbatibus Prioribus Comitibus Baronibus Justiciariis Vicecomitibus Prepositis Ministris et omnibus Balliuis et fidelibus suis salutem.

Inspeximus cartam quam Willelmus Marescallus quondam Comes Pembroch fecit abbacie Sancti Saluatoris de ordine monachorum Cisterciensi in Hibernia in hec uerba: "Willelmus Marescallus [*as in no. 12 verbatim to*] maliciose uexet aut grauet uel in aliqua re disturbet.

Quod si quis facere presumpserit dei maledictionem et nostram simul et forisfacturam premonstratam se nouerit incidisse; quicumcumque uero locum ipsum et elemosinam patris nostri ac nostram eidem assignatam promouerint siue manu tenuerint, cum dei benedictione et nostra remunerationem eternam inueniant.

Hiis testibus Domino Petro Ossoriensi episcopo, Johanne Marescallo, Thoma filio Antonii tunc senescallo Lagenie, Henrico le Buteiller, Waltero Purcel, Willelmo Crasso, Hamone Crasso, Henrico de Kernet, Reginaldo de Kernet, Magistro Deodato et multis aliis."

Nos autem predictas donationes et concessionem ratas habentes et gratas eas pro nobis et heredibus nostris concedimus et confirmamus sicut predicta carta rationabiliter testatur.

Hiis testibus uenerabili patre W. Bathonensi et Wellensi episcopo, Galfrido de Lezimnan fratre nostro, Radolpho filio Nicholai, Johanne Maunsell preposito Beuerlacensi, Magistro Willelmo de Kilkenny archidiacono Couentrensi, Roberto de Mucegros, Roberto Walerand, Nicholao de Sancto Mauritio, Henrico le Peyteuin, Rogero de Lokintone, Roberto le Norreys, et aliis.

Datum per manum nostram apud Wodestok undecimo die Augusti anno regni nostri tricesimo sexto.

Part of the Great Seal is still attached to this document, which is also preserved

¹ Christ Church Deeds (Dublin), no. 122; cf. C.D.I. i, 3174.

² *Cal. of Papal Letters*, 7 Id. Jun., 1251.

in the Record Office, London,¹ and is printed by Dugdale.² The fee paid by the convent was the same as for no. 55, viz.: "three marks in bezants"; and the witnesses are the same as for that instrument, executed on the same day.

57.

Letters Patent of unlimited protection granted by King Henry III to the Convent of Duiske.

Dated at Woodstock, 11 Aug. 1252.

Henricus Dei gratia Rex Anglie Dominus Hibernie Dux Normannie Aquitanie et Comes Andegauie omnibus balliuis et fidelibus suis ad quos presentes littere peruenerint salutem.

Sciatis quod suscepimus in protectionem et defensionem nostram abbatiam abbatem et conuentum de Valle Sancti Saluatoris in Hibernia homines terras res redditus et omnes possessiones eorum. Et ideo uobis mandamus quod predictos abbatiam abbatem et conuentum homines terras res redditus et omnes possessiones eorum manu teneatis protegatis et defendatis, non inferentes eis uel inferri permittentes iniuriam molestiam dampnum aut grauamen. Et si quid eis forisfactum fuerit, id eis sine dilatione faciatis emendari.

In cuius rei testimonium has litteras nostras eis fieri fecimus patentes. Teste me ipso apud Wodestok undecimo die Augusti anno regni nostri tricesimo sexto.

Half of the Great Seal is still attached to this instrument.³

58.

Consent, with reservations, of Matthew, abbot of Mellifont, and his convent, to the union of the abbey of Killenny with the abbey of Duiske.

Dated at Mellifont, March, 1253.

Uniuersis Christi fidelibus presentes literas inspecturis uel auditoris Frater Mattheus dictus abbas Mellifontis et eiusdem loci conuentus eternam in domino salutem

. . . nobis displiceat distributio domorum generationis nostre facta per abbates Trium Fontium, Frigidi Montis, de Margan auctoritatem capituli generalis ad redigendum abbatias in grangias et ad coniungendas abbatias abbatiis ordinatio nobis et successoribus nostris grauis sit et nociua et spem adhuc in futurum conceperimus reuocandi filias tamen profectui domus de Valle Sancti Saluatoris que nobis et domui nostre pluries multiplicia fecit et contulit

¹ Charter Roll 36 Hen. III, m 6.

² *Monast. Anglic.* (ed. 1830), vi, 1135.

³ See Patent Rolls 36 Henry III, m 4.

beneficia Valle dei abbacie per predictos abbates auctoritate capituli generalis eidem domui de Valle Sancti Saluatoris factam ratam habemus et gratam ac firmiter omni calumpnia et ad unionem predictam tamen quod aliquo tempore succedente nobis uel domui nostre contingere presenti scripto et sigilli nostri impressione roborauimus.

Datum apud Mellifontem die Martis prox millesimo ducentesimo quinquagesimo tertio.

The original deed is not extant, but we have an early transcript of it (see p. 49). It alludes to some earlier instrument, not now extant, in which the abbots of Trois-Fontaines, Froidmont, and Margam had issued directions for the amalgamation of Cistercian houses in Ireland, including Killenny and Duiske.

The abbey of Trois-Fontaines, in the diocese of Châlons, and province of Rheims, was one of the oldest Cistercian houses, having been founded from Clairvaux in 1118.¹ For Froidmont, see p. 44.

59.

Grant by Richard, son and heir of Alan de St. Florence, to the convent of Duiske, of his land of Makarne; viz., half a carucate between the Spring of Athboly Moelmethe and Lynans on the east; thence on the north to Brethgortyn; thence to the boundary of Grathsighan; thence to the place where the Templars formerly erected a Cross between their land of Adkelthan and the convent land; thence to Baliadowisky, as far as Rathgory, and so back to the aforesaid Spring; rent free.

Sciant presentes et futuri quod ego Ricardus filius et heres Alani de Sancto Florencio dedi concessi et hac presenti carta mea confirmaui deo et beate Marie et monachis de Valle Sancti Saluatoris ibidem deo seruientibus totam terram meam que uocatur Makarne cum omnibus suis pertinentiis, que iacet pro dimidia carucata terre cum suis pertinentiis per diuisas subscriptas: uidelicet, a fonte qui uocatur Athboly-Moelmethe, et sic ex parte orientali usque ad locum que uocatur Lynans, et de loco illo ex parte aquilonali usque ad locum qui uocatur Brethgortyn, et sic de loco illo usque ad finem illius loci qui uocatur Grathsighan, et de loco illo sic usque ad quendam locum ubi Templarii quondam quamdam crucem erexerunt ad diuisam faciendam inter terram ipsorum de Adkelthan et terram dictorum monachorum de Valle Sancti Saluatoris, et sic usque ad diuisas terre dictorum monachorum que terra uocatur Baliadowisky, et sic sicut diuise sint inter predictam terram de Makarne et Baliadowisky usque ad Rathgory, et sic usque ad primo nominatum fontem de Athbolymoelmethe: habendam et

¹ *Gallia Christiana*, ix, 957.

tenendam dictam terram cum omnibus suis pertinentiis dictis monachis et eorum successoribus de me et heredibus meis in puram et perpetuam elemosinam in perpetuum a deo libere et quiete, sicut aliqua elemosina liberius melius securius plenius dari potest et incartari absque aliqua demanda et exactione seculari.

Ego autem et heredes mei predictam terram cum omnibus suis pertinentiis predictis monachis et eorum successoribus quocumque casu contingente contra omnes warantizare tenebimur.

Ut autem hec mea donatio concessio et presentis carte confirmatio robur stabilitatis in posterum obtineant presentem cartam sigilli mei impressione duxi confirmandam.

Hiis testibus Domino Willelmo de Dene tunc senescallo Ossorgye, Domino Willelmo Malherbe tunc senescallo de Katherlach, Domino Hugone Purcell, Domino Mauricio de London, Domino Johanne Cadel, Domino Ada de Sancto Johanne, Domino Rogero le Poer militibus, Rogero de Pembrochia, Thoma de Kantingtonia, Reso Beket, Michaelao filio Ricardi, et aliis.

Most of the places named in this charter were in the baronies of Shelburne and Shelmalier, co. Wexford. *Makarne* or Ballymacarne, in the barony of Forth, was afterwards the seat of the Stafford family; *Ath-boly* is probably to be identified with the village of Boley in the parish of Owenduff; *Lynans* is now Bally-lennan, which is near the head of Bannow Bay; *Baliadowisky* is the equivalent of Owenduff (*baile duibh uisge* = town of the black water); and *Rathgory* is the modern *Rathgarogue* in Ballyanne parish, Bantry. We have not succeeded in locating the *Templars' Cross*, of which the charter makes mention, or their land at *Adkelthan*. In the thirteenth and fourteenth centuries there were frequent disputes as to the ownership of lands in the south of co. Wexford between the Knights Templars, who had a Preceptory at Kilclogan (near Templetown Church) and the Cistercian monks of Dunbrody.

The family of *St. Florence* appears in several subsequent charters (nos. 76, 78, 82, 83, 87). It would seem that before 1255 (which we take as an approximate date for the charter now under consideration, no. 59), *Alan de St. Florence* held lands in the south-west of co. Wexford. Here we have *Richard de St. Florence*, his son and heir, who appears again in 1280, quitting his claim to *Athboly* (no. 78; cf. also 76), and also in 1289 (no. 87).

The first witness, *William de Dene*, appears elsewhere as *seneschal of Kilkenny* (or of *Ossory*, as he is here described) about 1260,¹ and he died in 1261.² He is described as holding land in co. Wexford in 1230;³ and as sheriff of Wexford in 1241.⁴ About the latter date he witnessed some of Walter Marshal's charters to Dunbrody Abbey.⁵ In 1247 he held Marshal lands in Ogenti, near Thomastown, co. Kilkenny.⁶

William Malherbe, *seneschal of Carlow*, appears along with *John Cadel*, knight,

¹ See 35th Report of Deputy Keeper of the Irish Records, p. 38.

² C.M.A. ii, 316.

³ R.T.A. 188.

⁴ C.M.A. ii, 177.

⁵ C.M.A. ii, 164-166.

⁶ C.M.A. ii, 406.

in unpublished Kells charters, one of them being dated 1257.¹ One of the Malherbe family held Marshal lands in co. Kilkenny in 1247.²

Hugh Purcell, baron of Lochmoe, married as her second husband Beatrice, daughter of Theobald Walter the First. He held Marshal lands at Athenirke, co. Kilkenny, in 1247;³ and appears elsewhere as witnessing charters of William Marshal the younger,⁴ and of Walter Marshal.⁵ (See also p. 21.)

Maurice de London is a name which has already appeared in our charters (see p. 21).

In 1284 Nicholas de St. John, archdeacon of Ferns, administered the estate⁶ of *Adam de St. John*, who is probably to be identified with the knight of that name attesting this charter.

For *Roger le Poer* and *Thomas de Caunteton* see p. 80; for *Roger de Pembroke* p. 75; and for *Ris Beket* p. 73.

In an indult of Innocent IV, issued 11 December, 1253, the abbots of Tintern and Duiske are named as conservators; Duiske being described as in the diocese of *Ossory* (see p. 25). The same abbots were appointed conservators in the case of a faculty in 1254.⁷

60.

Agreement for an exchange between the convent of Duiske and Richard de Cardiff; the convent to cede to him five acres of meadow near his house in Carraman, and three acres in the holding of Ballybegan which Robert de Cardiff, his father, granted to the convent [no. 47]; in exchange for eight acres of meadow lying near the abbot's land at Coppenagh.

Dated 30 Nov. 1256.

Ita conuenit inter abbatem et conuentum de Sancto Salvatore ex una parte et Ricardum de Kerdyff ex altera circa festum Beati Andree anno domini millesimo ducentesimo quinquagesimo sexto:

Quod predictus abbas et conuentus concesserunt et tradiderunt pro se et successoribus suis predicto Ricardo de Kerdyff quinque acras prati iacentes prope domum suam in Karramman et tres acras in tenemento de Balybegan quas Robertus de Kerdyff pater predicti Ricardi dedit predicte domui Sancti Saluatoris pro anima sua: habendas et tenendas predicto Ricardo dictas octo acras cum suis pertinentiis sibi et heredibus suis in perpetuum: in excambium octo acrarum prati cum suis pertinentiis iacentium prope terram dicti abbatis que uocatur Athcopenach, sicut predicta terra cum suis pertinentiis melius perambulata et assignata est, predicte domui in perpetuum habenda.

¹ See also C.D.I. iii, p. 294, where William de Malherbe is mentioned as having been seneschal of Carlow.

² C.M.A. ii, 406.

³ C.M.A. ii, 406.

⁴ R.T.A. 138, 357; cf. 142, 352.

⁵ C.M.A. ii, 165.

⁶ Hore's *Ferns*, p. 191.

⁷ *Cal. of Papal Letters*, i, 293.

Et ut hec concessio traditio et confirmatio futuris temporibus robur stabilitatis et firmitatis optineant presenti scripto in modum cyrographi confecto tam predictus abbas quam predictus Ricardus impressiones sigillorum suorum alternatim apposuerunt.

Hiis testibus Domino Thoma de Kantewell, Rys Beket, Henrico de Kantewell, Geroldo de Clunleth, Willelmo Orkor, Rogero Orkor, et aliis.

It appears from this document that *Richard de Cardiff's* house was at *Carra-man*, in the barony of Gowran, co. Kilkenny, between Coppenagh and Kilfane. See p. 74 for *Ballybegan* and the *de Cardiff* family;¹ and p. 73 for *Ris Beket*.

The *Cantwells* were neighbours of *Richard de Cardiff*, holding land in Kilfane from the early days of the Anglo-Norman invasion. An effigy of a knight in armour, exhibiting the Cantwell arms, is still to be seen among the ruins of the old church at Kilfane.

Of the other witnesses we know nothing. Clundelet Church belonged to the Priory of St. Saviour, Ross;² and it is possible that *Gerald de Clunleth* came from thence.

61.

Lease by Griffin le Gros to the convent of Duiske, in consideration of a payment of twenty marks, of one carucate in Bantry, called Gilkhac, which he held from Thomas le Hore, and afterwards from Hugh his son; the monks to be answerable to his lord for the rent, as stated in the charter of Thomas le Hore.

Sciant presentes et futuri quod ego Griffinus Grossus dedi concessi et hac presenti carta mea confirmaui Deo et beate Marie et domui Sancti Saluatoris ordinis Cisterciensis et monachis ibidem deo seruientibus unam carucatam terre cum suis pertinentiis in Bentrie; illam uidelicet quam tenui primo de Thoma le Horhe et postea de Hugone le Horhe filio eiusdem Thome le Horhe, que etiam carucata terre uocatur Gilkhac, habendam et tenendam dictam terram cum suis pertinentiis dictis monachis et suis successoribus per easdem metas et bundas per quas ego dictam terram tenere consueui, adeo libere et quiete pro me et heredibus meis in perpetuum sicut ego illam dare et warrantizare possum absque aliquo retenemento ad me uel ad heredes meos pertinente.

Hoc tamen saluo quod dicti monachi respondeant domino meo de quo dictam terram tenui de annuo redditu prout continetur in carta Thome le Horhe quam quidem cartam una cum carta mea perfeci et cum terra predicta dictis monachis liberaui.

Pro hoc autem donatione et concessione mea dederunt michi dicti monachi pre manibus uiginti marcas esterlingorum ingersumnam. Et ego et heredes mei predictam terram predictis monachis in perpetuum warrantizabimus. Ut

¹ *Richard de Cardiff* appears in 1269 [Inq. 54 Hen. III, no. 64.]

² C.M.A. ii, xc.

autem hec donatio et concessio mea rata et stabilis inperpetuum permaneat presentem cartam sigilli mei impressione roboravi.

Hiis testibus: Domino Helya filio Ricardi de Prendelgast, Alano filio Milonis, militibus, Philippo Boscho, Nicholao Boscho, Roberto Huschard, Radulfo Kod, Thoma Kod, Johanne Olenon, Thema Longo, Matheo de Cnoc, R. de Ponte Cardonis, et multis aliis.

We date this lease about the year 1258. It must be prior to 1259, because *Alan Fitz Milo* was dead in that year (see Charter 62), and Charter 66 (of date 1262-1265) cannot be long subsequent to it. As has already been observed (p. 20), this is the first lease granted on terms by an individual lessor, which we find among the abbey muniments.

The situation of the land in question, which is variously called *Gilkhac*, Ballygilkach (no. 70) and Aunrochewellan (no. 66), cannot be precisely determined. "Guilcagh" means "a place producing broom"; and the estate was, doubtless, a tract of wild mountain land in Bantry. The overlords were the *Hore* family, from whom *Griffin le Gros* held as a tenant. This person I have not identified; but the appellation "le Gros" appears in Wexford annals more than once towards the end of the thirteenth century.¹

The *Hore* family is one of the oldest in co. Wexford. They trace their descent to two brothers, Philip and William le Hore, Anglo-Norman knights who served under Maurice Fitz Gerald, and obtained lands in the county for military services in the first conquest of Ireland. "Le hore" means "the hoary-headed one," as is plain from the forms which the name assumes in Latin (*Canutus*; see no. 70) or in old French (*le chanu*; see no. 66). From the charter before us, we see that *Thomas le Hore* (who was dead when it was executed) was the father of *Hugh le Hore*. The name of Hugh's son was Robert le Hore (see no. 70).

Elias de Prendergast, knight, was son of *Richard de Prendergast* (see p. 42). He appears again in no. 62.²

Alan Fitz Milo may have been a son of Milo Fitz David, or Fitz Bishop, whom we have had before (p. 8), but this is uncertain.

The name *Boschus* stands for *Boscher*,³ a common Wexford name, still surviving in the townland of Busherstown, in the electoral division of Shanbogh (see p. 42, above).

Robert Huskard may be the person of that name whom we have had already in 1226 (p. 42). Another of the name appears in 1299.⁴

For the name *Cod*, see p. 42.

Of the remaining witnesses we know nothing.

The name *de Ponte Cardonis* is the Latin form of Pont Chardon or Puchar-don, which occurs 1288-1302 in co. Kildare and elsewhere.⁵

¹ See Hore's *Ferns*, p. 192, and *Wexford*, p. 94.

² See also R.T.A. 191.

³ For the juxtaposition in co. Wexford of the names Nicholas Busher, William Hore, and Robert Cod, in 1620, see Hore's *Wexford*, p. 235.

⁴ Hore, *Ferns*, p. 8.

⁵ C.D.I. iii, 178, 497; v, 37.

62.

Ratification by Thomas, son of Alan Fitz Milo, of an agreement of date 29 Sept., 1253, between his father and the convent of Duiske: by which, in consideration of a sum of 40 marks in silver, Alan Fitz Milo granted to the convent for nine years one carucate of land called Molyngreye and Karrechrech; one carucate at Ballytarsne (held by the Irish from the said Alan); his mill; his whole lordship, and whatever accrues from Thomas Fitz Odo, who holds one carucate at a rent of one mark, from Philip the Miller who holds half a carucate at a rent of half a mark, from Robert Fitz Hugh, who holds half a carucate at a rent of seven shillings and sixpence, and from Conechor Ohenekyr, who holds half a carucate at a rent of eight shillings; And a further Agreement by Thomas son of Alan, that in consideration of a further payment of 20 marks, the lease shall be extended for six years longer, until 29 Sept., 1268.

Dated St. Martin's Day (Nov. 11), 1259.

Omnibus Christi fidelibus presens scriptum uisuris uel audituris Thomas filius et heres Alani filii Milonis salutem in Domino.

Nouerit uniuersitas uestra quod, cum ego post mortem bone memorie Alani filii Milonis patris mei anno gratie millesimo ducentesimo quinquagesimo nono terram que fuit dicti Alani iure hereditario recuperassem, inueni abbatem et conuentum de Dowisky uestitos et saisitos de quadam particula terre que fuit dicti Alani comitatu Weseford, qui cum de introitu allocuti fuissent ostenderunt quoddam cyrographum signatum sigillo dicti Alani patris mei et confectum inter dictum abbatem et conuentum et sepedictum Alanum per hec uerba:

“Hec est conuentio facta inter abbatem et conuentum de Dowisky ex una parte et Dominum Alanum filium Milonis ex altera, uidelicet quod dictus Alanus pro se et heredibus suis concessit et tradidit dicto abbati et conuentui unam carucatam terre cum omnibus pertinentiis suis que uocatur Molyngreye et Karrechrech, quam uidelicet tenuit in dominico suo in confectione presentis scripti; et unam carucatam terre cum suis pertinentiis que uocatur Balitarsne quam Hibernienses dicti Alani termino predicto tenuerunt, et molendinum suum cum tota sequela quam ullo tempore habere consueuit absque ullo redditu inde alicui dando; et totum dominium cum omnibus redditibus escaetis et exitibus; et quicquid aliquo modo accidere poterit de Thoma filio Odonis qui unam carucatam terre tenet per redditum unius marce per annum; de Philippo Molendinario qui dimidiam carucatam tenet per redditum dimidie marce; de Roberto filio Hugonis qui dimidiam carucatam terre tenet pro septem solidis et sex denariis per annum; de Conechor Ohenekhyr qui dimidiam carucatam terre tenet per redditum octo solidorum per annum: habendas et tenendas dicto abbati et conuentui dictas terras tenementa

tenentes molendinum cum omnibus predictis pertinentiis ad terminum nouem annorum termino incipiente in festo beati Michaelis anno regni regis Henrici tercesimo septimo, si tunc regnauerit uel non, bene et in pace cum omnibus libertatibus et liberis consuetudinibus quas idem Alanus committere pro se et heredibus suis potest; absque retinemento ad opus dicti Alani uel heredum suorum facto uel faciendo dum dictus terminus durauerit ad se uel heredes suos pro quadraginta marcis argenti quas dicti abbas et conuentus pro dicta terra et molendino cum pertinentiis, prout in eadem predictum est, dederunt;

Et est sciendum quod dictus Alanus uel heredes sui nullum hominem infra predictum terminum de dicta terra cum suis pertinentiis poterunt feofare, nec aliquo modo alienare alicui uel aliquibus nisi tamen dictis monachis. Cum modo ipsi tamen pro eadem uelint dare quantum et alii pacare et in fine dicti termini dicta terra cum suis pertinentiis dicto Alano uel heredibus suis sine contradictione redire debet, nisi alia conuentio interim inter dictum Alanum et dictos monachos super dicta terra emergatur; redditus autem et alii exitus dicte terre cum suis pertinentiis dictis monachis in ulteriori termino remanere debent. Et ad maiorum huius rei securitatem idem abbas et dictus Alanus huic scripto in modum cyrographi confecto sigilla sua alternatim apposuerunt Hiis testibus et cetera."

Quod cum dictum cyrographum euidentius inspexissem et impressionem sigilli patris mei super illud inpositum ueracius agnouissem, sciensque et intelligens per tenorem predicti cyrographi dictum patrem meum tantam summam pecunie de dictis monachis ad negocia sua urgentissima recepissem, omnia que in dicto cyrographo contenta fuerunt penitus ratificaui, et ea pro bono habui et bona uoluntate confirmans contra omnes per dictum terminum warantizare decreui pro me et heredibus meis ad hec:

Sciatis uniuersitas uestra quod ego circa festum beati Martini anno gratie millesimo ducentesimo quinquagesimo nono necessitate ductus recepi de dictis abbate et conuentu uiginti marcas sterlingorum, pro quibus uiginti marcis concessi pro me et heredibus meis predictis abbati et conuentui totam terram cum pertinentiis et omnia que continentur in supradicto cyrographo possidenda per terminum sex annorum ultra terminum contentum in dicto cyrographo; ita quod dicta terra cum suis pertinentiis dictis monachis remaneat a tempore receptionis predictarum uiginti marcarum quousque nouem anni post predictum terminum plenarie fuerint completi, cum omnibus libertatibus in sepedicto cyrographo contentis, per predictum terminum de me et heredibus meis contra omnes warantizanda.

Hoc autem adiecto quod si ego infra dictum terminum uiam uniuerse carnis ingressus fuero et heredes mei aliquo casu remaneant in custodia dominiorum suorum, uel aliquo alio modo ipsi fuerint de hereditate sua, ita quod dicti monachi aliquid incurrant impedimentum iacturam uel uexationem per defectum mei uel meorum, quod etiam me uiuente fiat si ita euenerit, uolo et concedo pro me et heredibus meis quod in fine termini predicti dicta terra eis remaneat, quousque de omnibus dampnis sibi illatis pro defectu mei et meorum de exitu predictae terre eis plenarius fuerit satisfactum; et ne aliquis

de huius conuentionis ueritate hesitare presumat presens scriptum sigilli mei impressione duxi roborandum.

Iiis testibus Domino Daud de Boscho Roardi, Domino Helia de Prendelgast, Domino Willelmo de Prendelgast, Henrico filii Henrici tunc senescallo Weseford, Henrico filio Geraldii tunc vicecomite Weseford, Symone de Foresta, Thoma filio Odonis, Daud Boscher, et aliis.

For *Alan Fitz Milo* see p. 88.

Probably *Ballytarsne* and *Karrechrech* may be identified with the modern Ballytarsna and Carrowanree, townlands in the electoral division of Killesk, co. Wexford.

David de Boscho Roardi, or *Boisrohard*, or *Borrard* (as it is generally spelt), appears along with *Elias de Prendergast* (see p. 88) as witness to a charter of Stephen de Valle¹ (p. 20) of about the same date as that before us. A *David Borrard* held Marshal land near New Ross in 1306;² he may be the same man as our present witness, or one of his family. Neither is to be confounded with *David Boscher*, another witness (see p. 88), who appears again in 1282³ (see p. 110).

For *William de Prendergast* see p. 42.

We have had *Henry Fitz Henry* before (p. 41). Here he is described as *seneschal of Wexford*, an office which he also served in the following year 1260-1.⁴

Of the remaining personages mentioned in this charter we know nothing.

63.

Grant by Sibyl Bremyl, widow, and Susanna, her unmarried daughter, to the convent of Duiske, of their claim upon 15 acres in Kulbrothyn, in the holding of New Town near the Barrow, which Elias Bremyl, Sibyl's brother, gave her on her marriage with Michael O'Morgan; also of their rights in one acre in Fanken, between the abbey lands and John Hinteberg's land;

as well as of 10 silver pennies yearly rent to be received from the heirs of Thomas the Baker for 7 acres at Drummenbeythe; also of 3 silver pennies rent from Henry, son of Donald the Carpenter, or his heirs, for an acre and a half at Knochanhacheyn; also of 5 silver pennies from Andrew Tannator or his heirs for two acres and a half at Drummenbeythe; also of 8 silver pennies from Adam Connachtach or his heirs for two virgates of land between the burgage of Dermot Connachtach and the land of the aforesaid Michael; also a halfpenny from Peter le Rous or his heirs for a croft:

¹ R.T.A. 191.

² Hore's *New Ross*, p. 169; cf. Hore's *Wexford*, p. 118.

³ Hore's *Wexford*, p. 94; cf. C.M.A. ii, 174-177, for charters in which David Boscher appears.

⁴ Pipe Roll 45 Henry III (Thirty-Fifth Report Deputy Keeper of the Irish Records, p. 38).

to be held in fee by the convent at a rent of two roses paid on St. John Baptist's Day yearly.

Sciant presentes et futuri quod nos Sibilla Bremyl et Susanna filia mea, in legitima uiduitate mea et in uirginitate filie mee predictae, dedimus concessimus et hac presenti carta nostra confirmauimus abbati et conuentui de Dowysky totum ius et clameum nostrum quod habuimus uel habere potuimus in quindecim acris terre, cum pertinentiis in Kulbrothyn in tenemento Noue Ville iuxta Baruwe, quas Elias Bremyl frater noster mihi dedit in liberum maritagium tempore quo Michael O'Morgan me desponsauit; et ius nostrum unius acre in Fanken que iacet inter terram dicti abbatis ex una parte et terram Johannis Hyndeberge ex altera parte, sicut sunt mensurata per metas et bundas et diuisas.

Insuper dedimus et concessimus predictis abbati et conuentui decem denarios argenti annui redditus recipiendos de heredibus Thoma Pistori uel assignatis eorundem, scilicet de septem acris terre apud Drummanbeythe, uidelicet medietatem ad Pascham et aliam medietatem ad festum beati Michaelis; et tres denarios argenti recipiendos de Henrico filio Donaldi Carpentarii uel de heredibus siue assignatis suis, scilicet de una acra terre et dimidia iacente apud Knochanhacheyn, medietatem ad festum beati Michaelis; et quinque denarios annui redditus recipiendos de Andrea Tannatori uel de heredibus siue assignatis suis de duabus acris terre et dimidio iacentem in Drummanbeythe, medietatem scilicet ad Pascham et aliam medietatem ad festum beati Michaelis; et octo denarios argenti annui redditus recipiendos de Ada Connachtach uel de heredibus siue assignatis suis, uidelicet de duabus uirgatis terre iacentibus inter burgagium Dermitii Connachtach et terram quondam dicti Michaelis, medietatem uidelicet ad Pascham et aliam medietatem ad festum beati Michaelis; et unum obolum recipiendum in festo Paschali de Petro Rufo uel de heredibus siue assignatis suis de quondam crofto:

Habendum et tenendum dictis abbati et conuentui uel assignatis suis de nobis et heredibus nostris uel assignatis nostris in feodo bene et in pace cum omnibus libertatibus et liberis consuetudinibus ad dictam terram et ad dictos redditus spectantibus; reddentes inde annuatim nobis et heredibus nostris uel assignatis nostris dicti abbas et conuentus duas rosas in festo Sancti Johannis Baptiste, pro omni seculari seruitio exactione et demanda.

Nos uero dicte Sibilla et Susanna dictam terram cum predictis redditibus sepe dictis abbati et conuentui sicut predictum est contra omnes mortales in perpetuum warantizabimus acquietabimus et defendemus.

Ut autem hec nostra donatio et concessio et carte nostre confirmatio sit rata et stabilis in posterum sigillorum nostrorum impressione roborauimus.

Hiis testibus Henrico Ketyng, Willelmo Palis, Alexandro le Masun, Thoma Ketyng, Willelmo Ketyng, et aliis.

Two seals have disappeared from this deed.

The small parcels of land with which it is concerned were apparently in the

neighbourhood of the abbey, as *New Town, near the Barrow*, is the town of Graiguenamanagh, which grew up round the monastery. The judiciar's court was held at "Newtown of Dowysky" in 1305.¹

The only other place-name which we can recognise is *Drummen-beythe*. The Kavanaghs of *Drummin* are commemorated on an eighteenth-century monument in the ruined church of St. Mullins, co. Carlow, and this probably points to the same locality.

We do not know anything of the widow *Bremyl* and her daughter. In 1306, Robert Bremyl of Forth held lands in Balyseandil,² and he may have been a kinsman.

For the *Hinteberg* family see p. 17.

Thomas Keting appears at New Ross in 1264,³ and in New Ross charters about the same date,⁴ as a contemporary of David Boscher (see p. 88) and R. de Reidun, seneschal of Carlow.

William Palys is described (in an unpublished Deed among the Ormonde Charters of the same period as this) as 'provost of New Town.'

We assign, provisionally, this charter to the year 1261; but there is no certainty about the date.

64.

Letter approving (despite objections that had been made) the union of the abbey of Killenny with the abbey of Duiske, from John, cardinal priest of St. Laurence in Lucina, to the abbots of Citeaux and the four chief daughter houses of the Cistercian Order.

Dated at Viterbo, 29 May, 1261.

Venerande discretionis patribus et amicis in Christo karissimis, domino abbati Cisterciensi coabbatibusque suis de Firmitate, Clarevalle, Pontiniaco, et Morimundo, frater J. miseratione diuina tituli Sancti Laurentii in Lucina presbyter cardinalis salutem in domino.

Speramus penes discretionem in iustis petitionibus uestris deuote promptitudinis affectum sortiri, presertim cum nos intendamus preces uestras cum nobis fuerint oblate speciali prosequi gratia et fauore.

Cum igitur uenerabilis pater et in Christo sinceriter nobis dilectus Dompnus Th: abbas Vallis Sancti Saluatoris in Hybernia tam per uiue uocis oraculum quam per publica instrumenta legitime ostenderat, quod ex prouida dispositione totius capituli generalis necnon domini Cistercii qui tunc pro tempore fuerat ac insuper primorum quatuor abbatum, abbatia Vallis Dei, domini loci accedente consensu, monasterio iam dicto, pro eo quod nullatenus per se subsistere potuit prout instrumenta testantur, laudabiliter unita sit, et in grangiam redacta; non obstante quod fuerat filia Jeripontis, maxime cum ipsa mater eisdem quibus et filia tunc notoriis implicaretur incommodis obnix

¹ *Cal. of Irish Justiciary Rolls* ii, pp. 153, 466.

² Hore's *New Ross*, p. 169; *Cal. of Irish Justiciary Rolls* ii, p. 344.

³ Hore's *New Ross*, p. 56.

⁴ C.M.A. ii, 174-177.

nobis supplicationis: quatinus cum dicta domus Sancti Salvatoris per incrementa religionis passim et indies proficiens hospitalitatis gratia non tam infra cenobium quam extra et in grangia specialiter eadem pre ceteris domorum comprouincialibus polleat, prout accepimus, odorque aromaticus inibi fragrans innumeros ad dei cultum attrachet et inuitet, quod per patres et predecessores uestros ad augmentum sacre religionis est utiliter prouisum factum et confirmatum, itidem et uos ut et etiam consolidentur unionare solitis:

Sunt uero ut dicitur qui contra statutum commune tam necessarium et perutile cum nil aliud agere preualeant uirus euomunt iniquitatis et detractio- nis, quibus tamen ut de cetero ora obstruantur loquentium iniqua nostra antidotum prouidere saluberrimum; personam nichilominus nos- tram in fine uobis intime commendantes, pro qua si placet oretis et deuote ab aliis insuper negotii de quo supra sit mentio, presentes literas dicto domino abbati in presentia nostra constituto concessimus patentes.

Datum Viterbii dominica proxima ante festum Ascensionis dominice, pontificis domini Alexandri quarti anno septimo.

The original letter is not extant, but we have an early and faded transcript which is difficult to decipher (see p. 63).

The writer was John of Toledo, cardinal priest of St. Laurence in Lucina from 1244 to 1262, when he became cardinal bishop of Porto. He appears repeatedly between 1245 and 1260 in the *Papal Letters*, as having charge of ecclesiastical matters in Great Britain and Ireland. He was himself a member of the Cistercian Order,¹ and a learned man. The abbot of Citeaux, whose name was Guido or Guy, succeeded him as cardinal of St. Laurence in Lucina²

65.

Confirmation by Guy, abbot of Citeaux, and the General Chapter of the Cistercian Order, of the union of the abbey of Killenny with the abbey of Duiske.

Dated at Citeaux, 1261.

Frater G. dictus abbas Cisterciensis totusque conuentus abbatum capituli generalis uenerabilibus et in Christo dilectis filiis abbati et conuentui Sancte Salvatoris in Hybernia salutem in Christo.

Cum uere religionis augmento intelligentes uenerabilem patrem B. quondam abbatem Frigidi Montis pro reparatione ordinis et animarum salute uobis con- tulisse abbatiam Vallis Dei cum omni iure suo, ita ut de cetero non sit abbatia que per se commode subsistere non poterat, sed ad uos pleno iure pertineat cum omnibus ad se pertinentibus, predictam collationem et unionem presen- tibus litteris confirmauimus, monentes et mandantes quatinus sic studeatis in

¹ Eubel, *Hierarch. Cath.* i, 7.

² *Gallia Christiana* iv, 996.

caritate proficere et regularibus disciplinis ut semper gaudeamus in domino uos talibus beneficiis ampliasset.

Datum apud Cistercium tempore capituli generalis anno domini millesimo ducentesimo sexagesimo primo.

The original charter is not extant, but we print an early transcript of an Inspeximus (see p. 63). There is also a memorandum of it in the Extracts from the Duiske Registers which we call E.

66.

Lease by Hugh le Hore, son of Thomas le Hore, to the convent of Duiske, of one carucate of land in the holding of Aunrochewellan, called Gilkach, at a rent of eight shillings a year.

Sciatis presentes et futuri quod ego Hugo le Chanu filius et heres Thome le Chanu dedi et concessi et hac presenti carta mea confirmaui abbati de Dowisky et eiusdem loci conuentui unam carucatam terre cum pertinentiis in tenemento de Aunrochewellen que appellatur Gylkach : habendam et tenendam dicto abbati et conuentui et eorum successoribus dictam terram cum pertinentiis de me et heredibus meis adeo libere et quiete plenarie et integre sicut aliqua terra dari uel incartari potest ;

Reddendo inde annuatim dicti monachi et eorundem successores michi et heredibus meis octo solidos sterlingorum ad duos anni terminos, medietatem uidelicet in festo Paschali et aliam medietatem in festo Sancti Michaelis, pro omni seruiti seculario et demanda.

Ego uero Hugo et heredes mei uel assignati predictis abbati et monachis ac eorum successoribus predictam terram cum pertinentiis et cum omni iure suo que ad eandem terram spectat contra omnes homines warantizabimus in perpetuum.

Et ut ista donatio concessio ac presentis carte confirmatio robur firmitatis et stabilitatis in posterum optineat, presentem cartam sigilli mei impressione duxi roborandum.

Hiis testibus Domino Ricardo Daniel tunc senescallo Wesefordie, Domino Willelmo de Weylaund tunc senescallo de Ros, Thoma le Chanu, Willelmo filio Daud, Thoma Keting, Simone filio Daud, et aliis.

The lands in question have already come under our notice in Charter 61 (see p. 88) ; as also has the family of *le Hore* or *Canutus*. Probably *Thomas le Hore* who signs as a witness is a son of Hugh, the grantor of the lease, and a grandson of the older Thomas le Hore.

The date of the lease can be approximately fixed by the circumstance that it is witnessed by the seneschals of Wexford and Ross. The seneschal of Ross, who administered the Marshal property in that region, moved the seat of his administration to Carlow before the time of the second Roger Bigod (p. 32) ; and was thenceforward called the seneschal of Carlow.

Now *Richard Daniel* was seneschal of Wexford from Michaelmas, 1261, to Michaelmas, 1262, and probably to Michaelmas, 1263,¹ his predecessor Henry Fitz Henry filling the office from 1259 to 1261.²

Again, Hugh de Aleby was seneschal of Carlow from 1260 to 1262; and William le Grasther from 1265 to 1275.³ Thus the only years left for *William de Weyland* who appears as seneschal of Ross, i.e. Carlow, in the lease, are 1262–1265; and the document must have been executed within this period. We may date it as *circa* 1262.

William Fitz David appears again as a juryman at Ross in 1277.⁴ For *Thomas Keting* see p. 93.

67.

Permission by Roger, son of Roger Beg, to the convent of Duiske to make a ditch between his land and the abbey lands, from Abernemukyn on the west to Castle Ford on the east; the ditch to be of twelve or six feet in width, as they wish.

Omnibus Christi fidelibus has literas uisuris uel audituris Rogerus filius Rogeri Beg eternam in domino salutem.

Nouerit uniuersitas uestra me diuine caritatis intuitu et sacrosancte religionis obtentu concessisse abbatie de Valle Sancti Saluatoris Cisterciensis ordinis eiusdemque loci conuentui facere unum fossatum super terram meam, sicut diuise extendunt se inter terram meam et terram predictorum abbatis et conuentus ab occidentali parte Abernemukyn usque ad Vadum Castelli uersus orientem, quod fossatum habebit duodecim pedes in latitudine; si uero placuerit prefatis abbati et conuentui facere fossatum sex pedum in latitudine et non amplius, terra fossati proiciatur super alios sex pedes terre quam eis dedi et concessi.

Habeant prefati terram prenominatam et possideant libere et quiete ab omni seculari exactione et demanda, et ego et heredes mei warantizabimus terram predictam contra omnes homines et omnes feminas.

In cuius rei testimonium et robur presens scriptum sigilli mei munimine roborauit.

We cannot date this document, as we do not know anything more about *Roger Beg*.⁵ From Charter 13 we learn that the heir of Alan Beg (see p. 11) was his daughter Cecilia, who married Wm. de Caunteton (p. 21). The Beks who appear in this deed were probably kinsfolk, and held land between the abbey and Gowran, as Alan Beg did. *Castle Ford* was presumably a ford of the river Barrow; *Abernemukyn* has not been identified.

We place the document here, assigning it to the years 1262–7; but there is no certainty about its period.

¹ Pipe Rolls xlvi Hen. III and 1 Ed. I (35th Report D.K.R.I., p. 45, and 36th Report, p. 24; cf. C.D.I. ii, 843).

² See p. 91.

³ See Calendar of Pipe Rolls.

⁴ Hore's *New Ross*, p. 142.

⁵ The name of "Roger Beg of Milleton" appears in 1305 in the *Cal. of Irish Justiciary Rolls* ii, p. 486.

In the Calendar of Patent Rolls 18 Feb., 1265, there is a note of "a Safe Conduct until Easter for Thomas, abbot of St. Saviour's in Ireland, and Master Thomas de Cheddeworth going to Ireland with their household and goods."

68.

Ordinance by Fulk, archbishop of Dublin, concerning the church of Dunmatathec, and the questions relating thereto at issue between Thomas, abbot of Duiske, with his convent, and Master Milo FitzRobert, canon of Leighlin: the church to be retained by the convent, Milo receiving 36 silver marks yearly for his life, to be paid to himself or to his accredited agent at the Grange of Donygne, and also the tithes of Balibyran; Milo to pay half a mark to the convent out of the said tithes, and to provide a chaplain for the chapel of Balibyran:

After Milo's death (as is contained in the instrument of the Bishop of Leighlin), or the death or resignation of abbot Thomas, the convent to provide a vicar for Balibyran:

If the 36 marks are not punctually paid, Milo may take over the church of Dunmatathec for his life.

Sealed by the archbishop of Dublin, the bishop of Leighlin, the abbot of Duiske, and Master Milo.

Dated at Clondalkin, 18 Jan. 1266.

Uniuersis Sancte Matris Ecclesie filiis presentis scripti continentiam inspecturis et audituris Ffulco miseratione diuina Dublinensis ecclesie minister humilis salutem in domino sempiternam.

Cum inter religiosum uirum dompnum Thomam abbatem et conuentum de Valle Sancti Saluatoris ordinis Cisterciensis actores ex una parte et magistrum Milonem filium Roberti canonicum Lechlinensem reum ex altera, super ecclesia de Dunmatathec et membris ad eandem spectantibus coram nobis auctoritate apostolica cognoscentibus exorta fuisset materia questionis, et diutius in presentia nostra agitata, demum partes, ut laboribus parcerent et expensis saniori contentes consilio, per liberam dicte ecclesie et membrorum in manus nostras factam a partibus resignationem, pure ac sponte super predicta causa inter eosdem suborta, hinc inde ordinationi nostre, iuramento eorum interposito utrimque ad eandem obseruandam, se per omnia et in omnibus submiserint.

Nos autem uirorum discretorum communicato consilio tractatuque diligenti et deliberatione perhibitis, inuocata Spiritus Sancti gratia, ordinando statuimus et statuendo ordinamus in hunc modum uidelicet: quod predicti abbas et conuentus prenominatam ecclesiam cum membris eiusdem in proprios usus retinebunt in perpetuum et obtinebunt, et libere ingrediantur cum sibi uiderint

expedire, per ordinationem et consignationem presentis scripti, ac de omnibus ordinariis et extraordinariis omnibus loci prelati respondebunt; prenomínatus uero magister Milo de dictis abbate et conuentu triginta sex marcas argenti nomine simplicis beneficii quoad uixerit recipiet sibi uel procuratori suo seu certo nuncio in Grangiam de Dunygne, ad duos anni terminos soluendas et reddendas, uidelicet in festo Paschali octodecim marcas et in festo Sancti Michaelis octodecim marcas.

Volumus autem et ordinamus quod dictus magister quoad uixerit, decimas prouenientes de terra de Balibyrán integraliter recipiet, reddendo inde annuatim memoratis abbati et conuentui singulis annis dimidium marcam ad duos anni terminos, uidelicet in festo Paschali quadraginta denarios et in festo beati Michaelis quadraginta denarios.

Et dictus M. capelle de Balibyrán per capellanum ydoneum suo perpetuo faciet deseruire.

Ad hec uolumus et ordinamus quod supradicti abbas et conuentus loci diocesanus post obitum dicti Milonis, sicut continetur in instrumento Lechlinensis episcopi et capituli sui, necnon et post obitum aut cessionem abbatis qui nunc est, uicarium ydoneum presentabunt qui pro cura animarum ualeat respondere, congruam portionem eidem assignando, ita quod iura episcopalia ualeat soluere et cetera facere que uicariis incumbunt.

Volumus autem quod hec ordinatio nostra per impetrationes et supplicationes quascumque et a quocumque in uirtute hinc inde prefati sacramenti quomodolibet infuturum nullatenus infringatur. Et si predictæ triginta sex marce predicto M. suis terminis non fuerint integraliter persoluite, liceat eidem M. predictam ecclesiam cum membris propria auctoritate ingredi et eandem sicut prius obtinere quoad uixerit; post eius uero decessum predicti abbas et conuentus predictam ecclesiam cum membris in usus proprios in perpetuum retinebunt cum onere tamen uicarii ut supradictum est.

Et ut huius rei perpetuam memoriam et firmitatem nos huic scripto alternatim diuiso et mutuis sigillis communito sigillum nostrum una cum sigillo uenerabilis fratris nostri Lechlinensi episcopi loci diocesani utrimque duximus apponendum. Valete in Domino.

Datum apud Clondolcan xv Kalend. Febr. anno domini MCC sexagesimo sexto.

Of the four seals attached to this instrument, two remain.

The church of *Dunmatthey* (which is perhaps to be identified with Ullard; see p. 36) had been granted to the convent by Alan Beg (no. 13); and there had been several disputes about it (see pp. 36 and 75). Whether the "instrument of the bishop of Leighlin" referred to in this ordinance is that executed by *bishop Thomas* (1252-1275)¹ in 1262 (p. 36) is not clear; but at any rate the present arrangement

¹ In the Extracts from the Duiske Registers (L) this instrument is summarized thus: "1262. Thomas the bishop confirmed the rectory of Dowumteig to the abbey of Duysk, with the consent of Alan Beig."

seems to have ended the controversy. The archbishop of Dublin was *Fulk de Sandford* (1256–1271).

The *Grange of Dunygne* is probably the modern Doninga (p. 6 ; cf. pp. 158, 162). *Balibyran* was apparently a chapel of ease to *Dunmatat heg*.

In this same year (10 March, 1266) we have a record of a legal agreement¹ about land being concluded at “Dowisky” by a certain Oliver le Gras.

69.

Cession by Thomas de Ballimor to the convent of Duiske, of the attachment of his millpond of Villa Batthe at a rent of two shillings to be paid annually to Theobald Pincerna, instead of the said Thomas, as heretofore.

Dated at Tullow, 22 Feb. 1273.

Omnibus ad quos hoc presens scriptum peruenerit Thomas de Ballimor salutem in domino.

Noueritis me concessisse pro me et heredibus meis quod abbas et conuentus de Dowisky habeant attachiamentum stangni molendini sui de Villa Batthe ; reddendo inde domino Theobaldo Pincerne singulis annis duos solidos sterlingorum ad duos annos terminos, uidelicet medietatem ad Pascham et aliam medietatem ad festum Sancti Michaelis, uidelicet illos duos solidos quos idem abbas et conuentus mihi et heredibus meis pro dicto attachiamento reddere debuerunt et consueuerunt.

In cuius rei testimonium presenti scripto sigillum meum apposui.

Datum apud Tholach xxii die Februarii anno regni regis Edwardi primo

Two seals have disappeared from this document.

Thomas de Ballimor (presumably Ballymore Eustace, co. Kildare) appears in 1306,² as receiving some compensation for the grant by John de Ballimor of the advowson of the church of Rathdonnell to St. Thomas' Abbey, Dublin.

Theobald Pincerna was Theobald Walter the Fourth, who died in 1285 (see p. 32).

Villa Batthe was probably not far from Tullow, co. Carlow (*tulach*, a hill), where the document was drawn up.

70.

Quit claim by Robert le Hore upon the lands of Gilkach, which the convent of Duiske holds in fee, notwithstanding a seisin of these lands which his father Hugh le Hore made to him ; on a penalty, should he attempt to dispossess the monks, to be enforced by the seneschal of Wexford for the time being, of twenty pounds sterling to be paid to the convent, and a jar of wine to the lord of Wexford.

¹ *Crede Mihi* (an ancient Register of the Archbishops of Dublin, ed. J. T. Gilbert, 1897), no. 98.

² R.T.A. 423.

Omnibus Christi fidelibus has literas uisuris uel auditoris Robertus Canutus filius Hugonis Canuti salutem eternam in domino.

Super seisinâ quam Hugo Canutus pater meus mihi fecit de Baligilkach quam dominus abbas et conuentus de Dowisky modo tenent in feudo, noueritis me in bona fide promisisse et tactis sacrosanctis euangeliiis iurasse, et eciam tenore presenti me obligasse, quod si ego aliquando sinistro consilio ductus uellem dictos abbatem et conuentum implacitare de dicta terra aliquo modo ratione predictæ seisinæ soluiam abbati et conuentui uinginti[†] libras sterlingorum bone et legalis monete, antequam ego uel aliquis per me uel pro me opponendo uel respondendo in aliqua curia exaudiamur :

Ita quod senescallus de Weseforde qui pro tempore fuerit distringat me ad hoc faciendum et tenendum si necesse fuerit per omnia bona mea mobilia et immobilia ubicumque fuerint inuenta, et insuper pro predicta districtione facienda domino Weseford unum doleum uini.

In cuius rei testimonium presentibus literis sigilli nostri impressionem apponi fecimus.

Hiis testibus Hugone le Hore patre meo, Thadeo Ode, Mattheo Cnok, Waltero le Blak, Roberto Makarn, et aliis.

The grant of a carucate of land at Gilkach has already been set out in Charters 61 (about 1258) and 66 (between 1262 and 1265) ; and it is probable that the date of this instrument is not much later than the second of these. It may be about 1270.

For the situation of *Gilkach*, and for the *Hore* family, see p. 88.

Matthew de Cnok was also a witness to no. 61.

Walter le Blak may be of the same family as Nicholas le Blake, who was Provost of New Ross in 1289.¹ *Walter Niger*, who is possibly the same man, appears in an undated grant to St. Thomas' Abbey.²

In the year 1276 the old quarrel about the union of the abbey of Killenny with Duiske was revived, and the General Chapter of the Cistercian Order was persuaded to dissolve the union, which had been arranged fifty years before (see p. 43 ff.). Paragraph 28 of the Statutes of the General Chapter for 1276 is as follows :³

“Auctoritate Capituli Generalis, de Buellio [Boyle], de Beatitudine [Bective], de Samaria [Ballyshannon], de Albo Tractu [Tracton], abbatibus districtè precipitur ut ad locum ubi quondam abbatia de Valle Dei in Hibernia, filia Geripontis, fuerit situata, infra Purificationem B.V.M. proxime uenturam absque dilatione aliqua per se uel per alium accedentes inquirant diligenter et respiciant utrum terræ pertinentes ad abbatiam Vallis Dei possint secundum illius terræ statum competenter sufficere ad conuentum ibidem sustinendum.

¹ Hore's *New Ross*, p. 160.

² R.T.A. 47.

³ It is printed in Martene's *Thesaurus*, vol. iv, and is reproduced by Carrigan, iv, 286.

Quod si possint sufficere illas grangias et terras in abbatiam nomine Vallis Dei filiam Geripontis, cum rebus aedificiis ibidem inuentis redigant, cum ibi corpora multorum et magnorum principum et multorum aliorum sint sepulta, et abbas Geripontis ibidem conuentum mittere non retardet, et sit filia ipsius, prout definitum est quod tales abbatae ad matres proprias revertantur. Si autem dictae terrae non sufficiunt ad conuentum ibidem sustinendum tunc dictae terrae ad dictam abbatiam Vallis Dei quondam pertinentes ad domum Geripontis tanquam ad matrem propriam cum aedificiis absque contradictione aliqua convertantur.

“Si abbas Sancti Saluatoris uel quicumque alius contrauerit, uel si opposuerit, uel aliquo modo impedierit, uel per se uel per alium contradicere praesumpserit, praedicti quatuor abbates, uel duo eorum, si alii interesse nequiverint, ipsum et alios contradicentes uel impediētes per suspensionis seu excommunicationis, uel si aliter non potuerint, per depositionis sententiam compellant auctoritate Capituli Generalis, conuentum similiter si contradicentem inuenerint interdicto et suspensioni supponentes, et quid super hoc fecerint per suas patentes litteras anno sequenti renuncient Capitulo Generali.”

This decree was naturally resented by the convent of Duiske, who did not relish the prospect of handing over to the rival convent of Jerpoint lands that had been in their possession for half a century.

It would seem that the decree was resisted, for we find records in the extant Extracts from the Duiske Registers (E, F, L) as follows :

“1276. Interdict of the Monastery of St. Saviour imposed by the General Chapter”; and again,

“1278. Relaxation of the Interdict and Absolution of the Convent of St. Saviour.”

As we shall see, the matter was ended for the time in 1278 (no. 73, *infra*); but the final abandonment on the part of Jerpoint of any claim on the lands of Killenny did not come until eighty years later.

71.

Quit claim by David, son of Stephen le Harpur, for the good of his soul, &c., touching the land in the holding of Coppenagh held by his grandfather Robert le Harpur, by consent of Raymond Roche, to whom David had ceded his claim in the said land for six and a half silver marks :

In accordance with this, David has handed a "Bref de Ael" to the convent of Duiske, at the Assize of Kilkenny, as well as quit-claiming to Raymond Roche.

Dated at Duiske, 18 Feb. 1278.

Uniuersis Christi fidelibus presentes literas uisuris uel auditoris Daud filius Stephani le Harpur salutem in domino sempiternam.

Nouerit uniuersitas uestra me pro animabus patris mee et matris mee nec non et pro salute anime mee et successorum meorum omne ius et clamium que habui uel aliquo tempore aliquo iure habere potui in tota terra quam quondam Robertus le Harpur auus meus in tenemento de Acopenach tenuit de consensu et uoluntate Reymundi de Rupe, cui ius et clamium quod in dicta terra habui pro sex marcis et dimidia argenti pro manibus uendidi receptis.

Et de qua quidem terra ego Daud prenominatus breue, quod dicitur "Bref de Ael," super abbatem et conuentum de Dowisky in assisa Kilkennye portauit, dictis abbati et conuentui de Dowisky remisisse, et pro me et heredibus meis Reymundo de Rupe cui ius meum et clamium ut predictum est concessi presente existente et hoc uolente et iubente quietum clamasse inperpetuum.

Ita quod ego Daud prenominatus in dicta terra aliquod ius uel clamium nec et heredes mei amodo exigere poterimus uel uendicare.

In cuius rei testimonium has literas meas in monasterio de Dowisky die Veneris proxima ante festum quod dicitur Cathedra Sancti Petri dictis abbati et conuentui anno domini MCCLXXVII feci patentes; presentibus Domino Geraldo de Rupe milite, et Reso Beket Juniore, nec non et de Rupe Reymundo, et aliis quam plurimis.

Of this instrument there is a record in the Extracts from the Duiske Registers (E).

The *Harpurs* were a Gloucestershire family, who came to Ireland among the first Anglo-Norman adventurers; they built Harperstown Castle, near Taghmon, co. Wexford. John, son of *David le Harpur* (probably the grantor of this charter), is mentioned in a Wexford Inquisition of the year 1283.¹

A "Bref de Ael" (aiëul), or "writ of ancestor," is the form of writ necessary in cases when, as in the one before us, lands descend from a grandfather to his grandson.

*Coppenagh Gap*² is a pass in the hills to the west of Graigue, and to the north of the district between the Barrow and the Nore, known as "The Rower." Of this district the *Roche*s were overlords.³

We have had the Roche family before.⁴ Among the witnesses to the present instrument were the two sons of David Roche, viz., *Sir Gerald Roche* and *Raymond Roche*. This Gerald Roche seems to be of a younger generation than the man of that name who married Helen, daughter of Thomas Fitz Anthony.⁵

For *Ris Beket junior*, see p. 73.

¹ Hore's *Wexford*, p. 93; cf. p. 428.

² See p. 86.

³ See no. 98.

⁴ p. 76.

⁵ See p. 15.

72.

Quit claim by Raymond Roche, as attorney and assign of David, son of Stephen le Harpur, concerning the holding of Coppenagh [no. 71], to the convent of Duiske for six silver marks.

Dated at Duiske, 18 Feb. 1278.

Uniuersis Christi fidelibus presentes literas uisuris uel audituris Reymundus de Rupe salutem in domino sempiternam.

Noueritis me attornatum et assignatum Daudid filii Stephani le Harpur omne ius et clamium quod per prenominationem Daudid habui in terra, quamque quondam Robertus le Harpur in tenemento de Accopenach auus dicti Daudid, cuius heres ipse est ut dicitur, tenuit, domino abbati de Dowisky et eiusdem loci conuentui remisisse; et pro me et heredibus meis et assignatis pro sex marcis argenti quas ab eisdem abbate et conuentu recepi sicut pronominatus Daudid plenius in presentia mea et aliorum plurimorum eisdem abbati et conuentui remisit quietum clamasse in perpetuum:

Ita quod nec ego Reymundus prenominationis in dicta terra aliquo iure uel aliquo titulo seu ratione nec et heredes mei uel assignati amodo aliquid exigere poterimus uel uendicare.

In cuius rei testimonium has literas meas in monasterio de Dowisky die Veneris proxima ante festum quod dicitur Cathedra Sancti Petri dictis abbati et conuentui anno domini MCCLXXVII feci patentes.

Hiis testibus Domino Johanne et Geraldo de Rupe, militibus, et Reso Beket, iuniore, nec non Daudid le Harpur, et multis aliis.

Of the two seals originally attached to this instrument, only one remains. The deed was executed at the same time and place as no. 71, and it completes the transaction by which the convent got possession of the land in question.

One additional witness gives his name here, viz., *John Roche*, knight. He is of the same family as the other Roches, doubtless; and he may be the same person as a John de la Roche who appears at Kilkenny 8 June, 1291, "for having peace of the death of Nicholas Fitz Robert by Henry de la Roche, 77/6."¹ He appears again in 1285 and 1297;² and a *John Roche* was lay patron of the Rower parish about 1300.³ See p. 111.

73.

Bond in £5000 by Gregory, abbot of Jerpoint, and his convent to the earl of Gloucester and his heirs, if at any time the convent or Philip, a monk thereof, who calls himself the abbot of Killenny, shall do anything by which the convent of Duiske shall be the losers; the bailiffs of the said earl to have £200 from the convent of Jerpoint in that event for putting the convent of Duiske in possession of the granges of Annamult and Bewley, and for enforcing payment of the bond.

Dated at Jerpoint, 9 Sept. 1278.

¹ Q.R. Irish Exchequer Bundle, 531, No. 22, m. 6.

² Hore's *Wexford*, pp. 94, 97.


³ Carrigan, iv, 124.

Uniuersis Christi fidelibus presentes literas uisuris uel audituris Frater Gregorius dictus abbas de Jeriponte et eiusdem loci conuentus salutem in Christo sempiternam.

Noueritis nos et successores nostros teneri ac tenore presentium obligari domino Comiti Glouuernie et heredibus suis in quinque mille libris sterlingorum nomine puri debiti sibi et heredibus suis uel eius certis attornatis has literas differentibus plenarie soluendis, si nos uel successores nostri seu frater Philippus monachus domus nostre de Joriponte, qui se gerit et nominat abbatem de Killenny, quod absit, impresenti uel imposterum in nostro generali capitulo uel in aliqua curia a quibuscumque personis ecclesiasticis uel secularibus aliquid impetrauimus retinuerimus seu usi fuerimus, per quod dilecti nobis in Christo abbas et conuentus Sancti Saluatoris super terris et possessionibus de Killenny cum pertinentiis suis amodo fuerint exacti.

Supponentes nos et successores nostros mobilia et immobilia nostra ubicumque fuerint inuenta districtioni domini Comitis Glouuernie et suorum balliuorum, qui pro tempore fuerint, qui nos ad solutionem quinque millium librarum dicto comiti faciendam, si predicti abbas et conuentus Sancti Saluatoris super predictis possessionibus per nos uel successores nostras uel per aliquas alias personas interpositas ut predictum est fuerint uexati, compellant; et nichilominus uolumus et concedimus et tenore presentium nos et successores nostros et communi consensu nostro et mera uoluntate obligamur, quod balliui dicti comitis qui pro tempore fuerint de bonis nostris habeant ducentas libras sterlingorum nomine puri debiti ad ponendum dictos abbatem et conuentum Sancti Saluatoris in ueram et perpetuam possessionem grangiarum de Adhemolt et de Bello Loco et ad compellendum nos et successores nostros super restitutione omnium si quod fecerint dictis abbati et conuentui facienda, si per nos uel nostros ut supra dictum est fuerint uexati, et nichilominus pro districtione quinque millium librarum ut predictum est dicto comiti facienda; renunciantes super hiis omnibus ordinis nostri exceptionibus quibus nos tueri ualemus, et omnibus priuilegiis nobis et ordini nostro concessis et omni iuris remedio tam canonici quam ciuilis, pro nobis et successoribus nostris inperpetuum.

In cuius rei testimonium has literas nostras fecimus patentes data et sigillata in nostra presentia communi et aliorum fide dignorum in capitulo nostro de Joriponte crastino Natiuitatis beate Marie Virginis anno domini MCCLXX octauo.

The seal of the abbot of Jerpoint is still attached to this deed (see Plate II). The legend is  SIGILL' ABBATIS DE JORIPONTE.

It would seem from the tenor of the deed that some compromise had been effected, and that Killenny was now in a quasi-independent condition, but not fully recognized as an abbey, even by Jerpoint, the mother house.

The *Earl of Gloucester* was Gilbert de Clare, the 8th earl, who died in 1295. His vast Irish estates were part of the Marshal property (see p. 32). He is spoken of as "the most powerful man in the kingdom, after the king."

Bewley (*Bellus Locus*) is the same place as Owning, in co. Kilkenny, an ancient parish.

74.

Lease granted by Nicholas Abeinion to the convent of Duiske, of half of a burgage between his land on the north, and the abbey land on the south, with the adjacent croft in Newtown, near the abbey, for an annual rent of sixpence sterling to be paid half-yearly, and sixpence twice a year for all exactions and secular service; the convent having paid Nicholas half a mark in addition.

Sciant presentes et futuri quod ego Nicholaus Abeinion dedi et concessi et hac presenti carta mea confirmaui domino abbati de Dufusque et eiusdem loci conuentui unum dimidium burgagium cum crofto recto adiacenti in Noua Villa iuxta abbatiam de Dufusque, quod scilicet dimidium burgagium iacet inter terram dicti abbatis et conuentus ex parte australi et inter terram dicti Nicholai Abeinion ex parte aquilonali, habendum et tenendum dicto abbati et conuentui et successoribus suis de me et heredibus meis uel meis assignatis:

Reddendo inde annuatim sex denarios esterlingorum ad duos anni terminos medietatem, uidelicet in termino festi Pasche et aliam medietatem in termino festi Sancti Michaelis, preterea reddendo mihi et heredibus meis uel meis assignatis sex denarios esterlingorum ad duos anni terminos, uidelicet medietatem in termino festi Pasche et aliam medietatem in festo beati Michaelis, pro omni exactione et demanda seculari et seruicio.

Pro hac autem donatione et concessione mea dederunt mihi predictus abbas et conuentus dimidiam marchant[†] esterlingorum in urgente necessitate mea, unde ego et heredes mei uel assignati predictum dimidium burgagium cum suis pertinentiis, prout . . . ius predictum est, dictis abbati et conuentui contra omnes uolumus et tenemur warantizare.

Et ut presens concessio et confirmatio mea futuris temporibus robur firmitatis et stabilitatis optineant presens scriptum sigilli mei impressione roborauit.

Hiis testibus Ricardo le Marcheyl, Willelmo filio Daud, Symone filio Daud, Stephano Cementario, Henricho le Barbur, Waltero de Morgan, et multis aliis.

New Town near the Abbey is the town of Graigue.

Of Nicholas Abeinion we know nothing.

The executors of the will of "Richard le Mareschal of Thomastown" appear in 1305,¹ and he is probably to be identified with *Richard le Marcheyl* who is a witness to the lease. The great Richard Marshal, earl of Pembroke (p. 32), is not to be thought of here, for he was killed in 1234, having been but a short time in Ireland; and this instrument is probably 40 or 50 years later, as the names of the other witnesses show.

¹ *Cal. of Irish Justiciary Rolls*, ii, 157.

William and *Simon Fitz David* appear in no. 66 and again in no. 80. *Stephen the Mason*, *Henry the Barber*, and *Walter de Morgan* are joint witnesses to Charter 75 also.

We assign the lease to a date about 1280; but there is no way of fixing it precisely.

75.

Lease by Thomas the Mason, of Cunal, to the convent of Duiske, of half an acre in New Town near the Barrow, near Kilmohenenoth, between the land of William Fitz Simon on the south, and the King's Road to the mill on the north, at the rent of one silver halfpenny.

Sciant presentes et futuri quod ego Thomas Cementarius de Cunal dedi concessi et hac presenti carta mea confirmaui abbati et conuentui de Dowisky et eorum successoribus unam dimidiam acram terre cum pertinentiis suis in tenemento Noue Ville iuxta Barewam iacentem iuxta Kilmohenenoth, inter terram Willelmi filii Symonis ex una parte, et hoc uersus australem et Viam Regiam que iacet uersus molendinum, et hoc uersus aquilonem, et proextendit se in longitudine a Via Regia usque ad riuulum molendini, sicut mensurata est et perambulata per certas metas diuisas et bundas; habendam et tenendam dictis abbati et conuentui et eorum successoribus uel cuicumque dare legare uendere inuadiare uel assignare uoluerint, de me heredibus uel assignatis meis in feodo et hereditarie libere et quiete integre plenarie et honorifice: in moris in pratis in pascuis et pasturis, cum omnibus libertatibus et liberis consuetudinibus ad dictam dimidiam acram terre cum pertinentiis spectantibus:

Reddendo inde annuatim predicti abbas et conuentus uel eorum successores mihi heredibus uel assignatis meis unum obulum argenti ad quodlibet pascha pro omni seruicio seculari exactione et demanda ad me uel ad heredes meos pertinente.

Ego uero dictus Thomas et heredes uel assignati mei dictam dimidiam acram terre cum pertinentiis predictis abbati et conuentui et eorum successoribus contra omnes homines warrantizabimus.

Ut autem hac mea donatio concessio et carta mee confirmatio futuris temporibus robur firmitatis ac stabilitatis optineant presentem cartam sigilli mei impressione duxi roborandam.

Hiis testibus Waltero de Margan, Sthephano† Cementario, Andrea Tannur, Henrico le Barbur, Elya preposito Noue Ville, et multis aliis.

This deed must be of nearly the same date as no. 74, viz., 1280. Three witnesses appear in both, viz., *Walter de Morgan*, *Stephen the Mason*, and *Henry le Barbur*.

Cunal may stand for Connell, or Great Connell, near Sallins, co. Kildare, where an Augustinian priory was established.

New Town is Graigue, co. Kilkenny; and it is noteworthy that the town has now (in 1280) its own Provost, *Elias*. *Andrew Tannur* appears again in no. 76 as a burgess of Graigue.

76.

Lease by Henry, son and heir of Adam Tabernar, to the convent of Duiske, of a burgage in New Town, lying between the two highways, from their crossing to the highway from Idrone, and across to the Barrow, the rent of twelve pennies to be paid to the overlord at Easter and Michaelmas.

Sciant presentes et futuri quod ego Henricus filius et heres Ade Tabernar dedi concessi et hac presenti carta confirmavi Deo et beate Marie et monachis de Dowisky ibidem Deo servientibus, pro animabus antecessorum meorum et successorum, unum burgagium cum pertinentiis in Nova Villa iuxta Barewe, illud uidelicet quod iacet inter duas regales vias et extendit se in longitudine a furcatione duarum predictarum viarum usque ad regalem viam que tendet de Odrone ex transverso usque in Barewe, habendum et tenendum de me et heredibus meis et assignatis meis predictis monachis et eorum successoribus in liberam et puram et perpetuam elemosinam.

Ego vero dictus Henricus heredes vel assignati mei dictum burgagium cum pertinentiis predictis monachis et eorum successoribus warantizabimus in perpetuum :

Ita tamen quod sepedicti monachi solvant domino capitali duodecim denarios annui redditus ad duos anni terminos, uidelicet unam medietatem ad Pascham et aliam medietatem in termino festi beati Michaelis pro omni servicio seculari exactione et demanda.

Ut autem hec mea donatio concessio ac presentis carta mee confirmatio futuris temporibus robur firmitatis et stabilitatis optineant presens scriptum sigigilli† mei impressione roboravi.

Hiis testibus Radulfo de Mosb . . ., Johanne Kempe burgensi de Rosponde, Ricardo de Sancto Florencio, Waltero Margan, Andrea Tannur, burgensibus predice Noue Ville, et multis aliis.

Tabernar may be “le Taverner,” from his calling.

The two highways must have been the roads from Graigue (*New Town*) to Inistioge and Thomastown respectively; and “the highway from Idrone” was that from Ullard to Graigue.

We have had already the witnesses *Walter Morgan* and *Andrew Tannur* (no. 75) who were burgesses of Graigue.

John Kempe, burgess of New Ross (Rosponde), appears again in civic records in the years 1281 and 1285.¹

Richard de St. Florence we have had before (p. 85), and he appears again in charters dated in 1280 and 1289.²

This instrument must have been executed about the year 1280.

¹ Hore's *New Ross*, pp. 11, 153.

² A Richard de St. Florence appears as a juror at Castledermot in 1305 (*Cal. of Irish Justiciary Rolls*, ii, 463).

77.

Lease by Walter FitzHenry FitzWilliam de Mera to the convent of Duiske, of eight acres, both arable and pasture land, in the holding of Balinaclem in Oreythy, at a rent of three peppercorns ; in consideration for a fine paid by the convent.

Sciant presentes et futuri quod ego Walterus filius Henrici filii Willelmi de Mera uoluntate mea dedi et concessi et hac presenti carta mea confirmaui abbati et conuentui de Dowisky et eorum successoribus octo acras terre tam de terra arabili quam pastura iacentes pariter in tenemento de Balinaclem in Oreythy : habendum et tenendum predictas octo acras terre cum suis pertinentiis de me et heredibus meis uel assignatis predictis abbati et conuentui et eorum successoribus, libere quiete integre plenarie perpetue bene, et in pace iuris hereditarii, et eciam adeo libere sicuti aliqua terra dari potest uel incartari, cum omnibus libertatibus et liberis consuetudinibus dictam terram tangentibus :

Reddendo inde annuatim mihi et heredibus meis dicti abbas et conuentus tria grana piperis pro omni seruicio seculari auxilio tallagio wardio maritagio releuio eschaeta secta curie actione consuetudine et demanda que appellatur Unleldes.¹

Pro hac autem donatione concessione et presentis carte mee confirmatione dederunt mihi predicti abbas et conuentus quandam summam pecunie prout melius inter nos concordatum est.

Ego uero dictus Walterus et heredes mei uel assignati predictas octo acras terre cum suis pertinentiis ut predictum est dictis abbati et conuentui et eorum successoribus contra omnes mortales inperpetuum warantizabimus et defendemus.

Insuper si quocumque casu fortuito principale tenementum, quod absit, uendere uel alienari me uel heredes meos seu assignatos contingat, pro omnibus quibuscumque oneribus predictas octo acras tangentibus principale tenementum absque ulla contradictione plenarie tenebitur respondere.

Ut autem hec mea donatio concessio et presentis carte confirmatio robur perpetue firmitatis optineat presentem cartam sigilli mei impressione duxi roborandam.

Hiis testibus Domino Reso Beket, Domino Roberto le Gras milite, Ricardo filio Stephani, Ricardo de Orunro, Johanne Strangbowe, et multis aliis.

Oreythy or *Uirethe* was a district in Idrone, west of the river Barrow.

Ris Beket, the first-named witness, seems to have lived in that neighbourhood (see p. 73). He appears in charters dated 1278 (nos. 71, 72), and perhaps we may assign this instrument to the year 1280 or thereabouts. It is not, however, certain that the man in question was not the *elder* *Ris Beket*, in which case our charter would be earlier in date.

¹ I.e. 'inexcusable,' Anglo-Saxon *unlade*.

We know nothing of *Walter de Mera*, unless we are to equate him with *Walter de Mora* of Charter 48. The date at which the latter lived (see p. 75) would agree with the period to which we assign Charter 77.

For the family of *Le Gras* or *Crassus* see p. 16. A *Robert le Gras* was killed by the Irishry in 1345,¹ but this can hardly be the witness who appears here.

78.

Quit claim by Richard, son and heir of Alan de St. Florence, to the convent of Duiske, upon the holding of Athboly, in consideration of one silver mark.

Dated at Duiske, 19 June 1280.

Uniuersis Christi fidelibus presentes literas uisuris uel audituris Ricardus de Sancto Florencio filius et heres Alani de Sancto Florencio salutem in domino sempiternam.

Nouerit uniuersitas uestra me omne ius et clamium quod habui et aliquo iure habere potui in tenemento de Athboly uel ubicumque in tenemento domini abbatis de Dowisky uel eiusdem loci conuentus eisdem abbati et conuentui pro me et heredibus meis uel assignatis pro una marca argenti quam a dictis abbate et conuentu recepi remisisse et inperpetuum quietum clamasse. Ita quod nec ego nec heredes mei uel assignati in dicta terra de Athboly nec aliunde aliquo iure uel aliquo titulo seu ratione amodo aliquid exigere poterint (uel uen)dicare.

In cuius rei testimonium has literas meas sepedictis abbati et conuentui in monasterio de Dowisky feria quarta ante festum beati Johannis Baptiste quod dicitur Natiuitas anno domini MCCLXXX feci patentes.

For the situation of *Athboly* and the family of *St. Florence* see p. 85.

We have a memorandum mentioning the abbot of Duiske preserved under the year 1280;² viz., in a roll of payments made at Carlow we find: "From the abbot of Duiske fine for release of venue, 5 marks."

79.

Quit claim by John Fowler, son and heir of Luke Fowler, who was son and heir of Walter Fowler, to the convent of Duiske, concerning three carucates at Rathboghal which Richard de Marisco granted to the convent [no. 16]; on a fine of £100 if he ever attempts to re-establish his claim; the convent giving him six silver marks and one robe.

Omnibus ad quos presens scriptum peruenerit Johannes le Foueler filius et heres Luce le Foueler, qui quidem Lucas filius et heres fuerat Walteri le Foueler, salutem in domino sempiternam.

Noueritis uniuersitas uestra me remisisse et quietum clamasse pro me et heredibus uel assignatis meis in perpetuum abbati et conuentui de Valle

¹ *Clyn's Annals.*

² C.D.I. ii, p. 361.

Sancti Saluatoris totum ius et clamium quod habui uel habere potui in terra que dicitur Rathbachelach, cum omnibus pertinentiis suis, et iacet pro tribus carucatis terre in Bentría quam quidem terram dominus Ricardus de Marisco miles dictis abbati et conuentui dedit et incartauit ;

Ita uidelicet quod ego nec aliquis heredum uel assignatorum meorum in dicta terra uel aliunde in tenemento dictorum abbatis et conuentus aliquid attemptare uel exigere de cetero poterimus.

Et si ita contigerit, quod absit, quod contra presentem quietam clamationem ego uel aliquis pro me et heredibus uel assignatis meis contra sepedictos abbatem et conuentum ratione dicte exactionis aliquid exigere uel attemptare presumperimus, uolumus et concedimus et tenore presenti nos obligamus ut sepedicte abbas et conuentus per omnia bona nostra mobilia et immobilia ubicumque fuerint inuenta per quoscumque uoluerint balliuos uel prelatos distringere possunt, ad solutionem centum librarum nomine puri debiti eisdem faciendam, si in predicta exactione aliquem nostrum perseuerare contigerit.

Pro hac autem quieta clamancia idem abbas et conuentus dederunt mihi in gersummam sex marcas argenti cum una roba.

Et ut processu temporis scriptum istud stabilitatem optineat ego illud sigilli mei munimine duxi corroborandum.

Hiis testibus Domino Hay Huscard milite, Willelmo Boscher, Johanne filio Willelmi, Daud Boscher, Thoma Mackudy, Th : Don, et multis aliis.

The seal is still attached to this instrument, and of the legend upon it the letters . . . OHS . . . OLLE . can be read.

We put this deed at 1282 or thereabouts.

For *Rathboghla* see p. 40.

Hay Huscard and *William Boscher* were charged in 1281 with felling trees in the woods of Roger Bigod, earl of Norfolk, in Bantry, co. Wexford.¹

For *David Boscher* see p. 91.

In 1317 one *Thomas Don* or of Down, who is described as “*fortissimus latro*,” was captured at sea, and beheaded;² but there is no certainty that he should be identified with *Th. Don*, the last witness to this charter.

Mackudy may be for *Mac Odo*.

80.

Grant b Henry FitzHenry Roche for the benefit of his soul and of that of Olive his wife, &c., to the convent of Duiske, of rights to fish in the Barrow from Polmuntath to Portegrenan.

Notum sit omnibus quod ego Henricus filius Henrici de Rupe dedi et concessi et hac presenti carta mea confirmaui, pro anima mea et Oliue uxoris mee et animabus patris et matris mee nec non et omnium parentum meorum predecessorum et successorum, Deo et beate Marie et abbacie de Dowisky et monachis ibidem Deo seruientibus in flumine de Barwe quicquid ibidem habui libertatis ad piscandum a loco qui uocatur Polmuntach usque ad locum

¹ C.M.A. ii, lxxxiii. *Boscher* here is called “*Vesher*.”

² C.M.A. ii, 355.

qui uocatur Portegrenan, habendum et tenendum dictis monachis et eorum successoribus dictam piscationem prout plenius predictum et in perpetuum adeo libere et quiete sicut aliqua elemosina dari potest et incartari.

Ego uero et heredes mei dictam piscationem contra omnes warantizabimus. Et ne aliquid de cetero de dicta donatione hesitare debeant presentem cartam sigilli mei impressione duxi roborandum.

Hiis testibus Dominis Reso Begeth, Milone filio Dauid, Johanne de Rupe, Petro filio Johannis Canuti, Ricardo le Moyne, militibus, Eustachio de Rupe, Willelmo, et Symone filio Dauid, Johanne Osegoth, et aliis.

The seal is still attached to this instrument, which was confirmed in 1352 (see no. 98).

The *Roches* (see pp. 76, 102) were lords of the district known as the Rower, between the Nore and the Barrow; and their fishery rights were valuable to the convent. *Polmuntath* is the modern *Polmounty* on the Barrow, and *Portegrenan* is Thomastown on the Nore.

A *Henry Roche* appears in 1287;¹ and the same name has already been before us for the year 1291.² Probably he is to be identified with *Henry Fitz Henry Roche* who was lay patron of Listerlin about 1305,³ and with the grantor of the instrument before us. For *John Roche* see p. 103. *Eustace Roche* appears in company with David Boscher (see p. 91, note) in deeds that must have been executed before 1305.⁴

We have already had *William Fitz David* and *Simon Fitz David*, in 1262–5 (no. 66) and about 1280 (no. 74). *Milo Fitz David* held land in Overk in 1246⁵ (by the service of seven knights' fees, this being the largest fief in the lordship of Kilkenny). He appears again in 1286,⁶ and died shortly afterwards.

For *Ris Beket* see p. 73.

For the family of *le Hore* or *Canutus* see p. 88. A Peter le Hore attested a charter given at London in 1192,⁷ and he may have been an ancestor of *Peter Fitz John le Hore* who is a witness to the instrument before us.

Taking the names of all the witnesses together, we put this charter at the year 1285 or thereabouts, but do not profess to date it precisely.

81.

Lease by William de Cardiff, son and heir of Richard de Cardiff, to the convent of Duiske, of 39 acres of land near their farm at Coppenagh; bounded on the west by the land of William FitzAlured, on the south by the "little water" called Ath-Coppenagh, and on the north by the road leading to Dungarvan; part of the said land, called Maglasbeg, extending from the Ath-Coppenagh water to the water called Stronan; the rent to be a pair of gloves and a penny annually, and the convent paying the vendor £11 sterling.

Sciunt presentes et futuri quod ego Willelmus de Kerdif, filius et heres

¹ Hore's *New Ross*, p. 37.

² P. 160.

³ *Red Book of Ossory*, s. a.

⁴ C.M.A. ii, 174-6. (Gilbert Sutton died in 1305.)

⁵ C.M.A. ii, 406.

⁶ C.D.I. iii, p. 99.

⁷ C.M.A. i, 270.

Ricardi de Kerdif dedi concessi et hac presenti carta mea confirmaui abbati et conuentui de Valle Sancti Saluatoris triginta et nouem acras terre que jacent juxta terram grangie ipsorum monachorum de Athcopenach, sicut eisdem monachis mensurate sunt et perambulate per metas bundas et diuisas subseptas; uidelicet in latitudine inter terram predictorum monachorum ex parte orientali et terram Willelmi filii Alunredi ex parte occidentali, et extendunt se in longitudine a parua aqua que est Athcopenagh ex parte australi, usque ad uiam que ducit ad Dungaruam ex parte boriali et quedam pars dicte terre extendit se de aqua que uocatur Athcopenach usque ad aquam que uocatur Stronan et uocatur illa pars terre Macglasbeg:

Habendum et tenendum predictam terram cum suis pertinenciis predictis monachis et eorum successoribus in perpetuum de me et heredibus uel assignatis meis prout melius et liberius eam dare et incartare potui:

Reddendo inde annuatim predicti monachi et eorum successores mihi et heredibus uel assignatis meis unum par cyrothecarum uel unum denarium, in termino festi pasche pro omni seruicio exaccione, saluis secta curie et demanda seculari.

Et ego dictus Willelmus et heredes mei uel assignati mei pro predictis monachis cali toribus respondere tenemur, ita quod predicti monachi sint quieti ex toto de omni sarcina reddituum et aliorum prouenientium.

Ego uero dictus Willelmus et heredes uel assignati mei dictis monachis et eorum successoribus dictam terram cum suis pertinentiis contra omnes mortales in perpetuum warantizabimus acquietabimus et defendemus.

Pro hac autem donatione concessione et presentis carte mee confirmatione dederunt mihi predicti monachi undecim libras esterlingorum pre manibus.

Ut autem hec mea donatio concessio et presentis carte mee confirmatio robur firmitatis et stabilitatis futuris temporibus optineat in perpetuum presentem cartam sigilli mei impressione duxi roborandum.

Hiis testibus Domino Galfrido Ossoriensi episcopo, Magistro Rogero archidiacono, Dominis Johanne de Valle, Philippo Maunsel, Reso Beket, Galfrido Ketyng, militibus, Johanne de Blancheuil, et multis aliis.

The seal remains, and we can still read upon it ✠ S. WILLI . D . CEARDIF.

The charter is mentioned in the Extracts from the Duiske Registers (FL).

We have met the *de Cardiff* family in the neighbourhood of Coppenagh before (no. 60). This *William de Cardiff* was son of *Richard de Cardiff* (see p. 73) who was son of Robert de Cardiff. A *William de Cardiff* appears in 1284 as having killed an "Irishman";¹ and, again, *William de Cardiff* was one of two persons appointed in 1302 by the abbot of Dunbrody to represent him in his absence.²

Dungarvan is to the north-west of Graigue or Duiske. *Maglasbeg* and *Stronan* have not been located, but the situation of the land transferred is not doubtful. *Fitz Alured* is a name that does not seem to occur again in this neighbourhood.

The first witness was *Geoffrey St. Leger*, bishop of Ossory from 1260 to 1287. *Roger de Lyons* succeeded to the archdeaconry some time after 1264, and appears

¹ Hore's *New Ross*, p. 152.

² C.M.A. ii, lxxxvi (quoting Patent Rolls, xxxi Ed. I).

in 1271 in Cotton's *Fasti*. Hence the deed before us must have been executed after 1264 and before 1286. We incline to place it at the end of this period, about 1285, but there is no definitive evidence of the year.

John de Valle belonged to the well-known family whom we have had before (see pp. 20, 30, 39). We see from Charter 94 that he was the son of Stephen de Valle who was the son of Alan de Valle, and that he was alive in 1305. He witnessed Roger Bigod's charter to New Ross in 1279.¹

Philip Maunsel attested a Kells charter (unpublished) in 1264, and his son was lord of Knocktopher, co. Kilkenny, in 1312.²

For *Ris Beket* see p. 73; and for one of the *Ketings* p. 92.

The *Blanchevilles* of Blanchevillestown, near Gowran, co. Kilkenny, were a prominent family from the thirteenth century onward.³

82.

Quit claim, in form of letters patent, by William, son of Henry de St. Florence, to the convent of Duiske, respecting half a carucate of land in Makarne, twelve acres in Athboly, and half the pool of Cordredan, for three silver marks.

Dated at Duiske, 9 July, 1288.

Uniuersis Christi fidelibus presentes literas uisuris uel auditoris Willelmus filius Henrici de Sancto Florentio salutem in domino sempiternam.

Nouerit uniuersitas uestra me omne ius et clamium quod habui uel aliquo iure habere potui in dimidia carucata terre cum pertinentiis in Mackarne et in duodecim acris cum pertinentiis in Athboli una cum dimidietate gurgitis de Kordredan uel ubicunque in tenemento domini abbatis de Dufwiski uel et eiusdem loci conuentus, eisdem abbati et conuentui, pro me et heredibus meis et assignatis, pro tribus marcis argenti quas a dictis abbate et conuentu recepi remisisse et in perpetuum quietum clamasse; ita quod nec ego nec heredes mei uel assignati in predicta dimidia carucata terre cum pertinentiis in Mackarne et in predictis duodecim acris terre in Athboli cum pertinentiis et reliqua in predicta dimidietate gurgitis de Kordradan nec aliunde aliquo iure uel aliquo titulo seu ratione amodo aliquid exigere uel uendicare poterimus in futurum.

In cuius rei testimonium has literas meas sepedictis abbati et conuentui fieri feci patentes.

Datum in monasterio de Dufwisky die Veneris proxima post octauas apostolorum Petri et Pauli anno domini millesimo ducentesimo octogesimo octauo.

For the *de Florence* family see p. 85. This *William Fitz Henry de St. Florence* was probably a cousin of Richard (who appears in nos. 59, 78, 87) and William (no. 83), the sons of Alan de St. Florence.

A Henry de St. Florence appears elsewhere in 1228.⁴

For *Athboly* see p. 85, and for *Cordredan* see p. 69.

¹ *Chartae*, &c., p. 85. ² Carrigan, iv, 21. ³ See Carrigan, iii, 414. ⁴ C.D.I. i, 1635.

83.

Quit claim, in form of letters patent, by William the clerk, son and heir of Alan de St. Florence, respecting the lands and the pool described in no. 82.

Dated at Duiske, 9 July, 1288.

Uniuersis Christi fidelibus presentes literas uisuris uel audituris Willelmus de Sancto Florencio clericus filius et heres Alani de Sancto Florencio salutem in domino sempiternam.

Nouerit uniuersitas uestra me omne ius et clamium quod habui uel aliquo iure habere potui in dimidia carucata terre cum pertinentiis in Makarne et in duodecim acris cum pertinentiis in Athboly una cum dimidietate gurgitis de Kordredan uel ubicumque in tenemento domini abbatis de Dowisky uel nunc eiusdem loci conuentus, eisdem abbati et conuentui pro me et heredibus meis et assignatis, pro tribus marcis argenti quas a dictis abbati et conuentu recepi remisisse et inperpetuum quietum clamasse, ita quod nec ego nec heredes mei uel assignati in predicta dimidia carucata terre cum pertinentiis in Mackarne et in predictis duodecim acris terre cum pertinentiis et in predicta dimidietate gurgitis de Kordraden nec aliunde aliquo iure uel aliquo titulo seu ratione a modo aliquid exigere uel uendicare poterimus in futurum.

In cuius rei testimonium has literas meas sepedictis abbati et conuentui fieri feci patentes. Datum in monasterio de Dowisky die Veneris prima post octobas† apostolorum Petri et Pauli anno domini millesimo cc octogesimo octauo.

This *William de St. Florence* is apparently a brother of Richard whom we have had before [nos. 59, 78; cf. p. 85.]

84.

Petition from P(eter), abbot of Jerpoint, and John, abbot of Duiske, to T., abbot of Citeaux, and the abbots of the four chief daughter houses, for a confirmation of the amicable arrangement reached, in presence of D., Archbishop of Cashel, between the convents of Jerpoint and Duiske; by which Killenny and the grange of Annamult are to belong for ever to Duiske, Duiske taking over the debts of Jerpoint to the amount of 1000 marks, and further undertaking to expend 300 marks in addition on the lands of Jerpoint.

Dated at Jerpoint, 10 July, 1288.

Reuerendis in Christo prioribus domino T. abbati Cisterciensi quatuorque primis abbatibus necnon et diffinitoribus in capitulo generali constitutis Fratres P. et J. de Jeriponte et de Sancto Salvatore dicti abbates et eorum conuentus salutem in omni genere honoris et reuerencie.

Quam sit amica contemplationi pacis securitas et odiosa perturbatio, attendentes ex unanimi consensu et uoluntate nostra et conuentuum nostrorum super lite iam inter nos mota, de grangiis et possessionibus ab abbate et conuentu Sancti Saluatoris ablatis necnon et de iure abbatis et conuentus de Jeriponte super possessionibus de Killenny, in presencia domini D. archiepiscopi Cassellensis amicabiliter in pace quieuimus:

Ita uidelicet quod Killenny cum omnibus pertinenciis suis et grangia de Athnemolt cum omni iure suo abbati et conuentui de Sancto Saluatore in perpetuum remanebunt, abbas uero et conuentus de Sancto Saluatore predictos abbatem et conuentum de Jeriponte uersus diuersos creditores de omnibus debitis suis in quibus tenebantur ad estimationem mille marcarum acquietarunt, et nichilominus tres centas marcas ad restaurandum grangias et loca eorundem pro ista quieta clamancia et perpetua pace seruanda dederunt; quam quidem pacem a uestre benigne paternitatis clemencia nomine nostro et conuentuum nostrorum sub testificatione sigilli capituli generalis humiliter et deuote petimus confirmari.

In cuius rei testimonium predicti abbates de Jeriponte et de Sancto Saluatore presenti scripto sigilla sua apposuerunt.

Datum apud Jeripontem die septem fratrum anno domini MCC octogesimo octauo.

Of the three seals, one is gone. On the seal of the abbot of Duiske (see Plate II) may still be read: SIGILL . ABBATIS . D[E . S. SALV]ATORE.

The name of the abbot of Citeaux was Theobald.¹

This agreement was preceded by a Quit Claim on the part of Peter, the abbot of Jerpoint, of which we have only an inspeximus in no. 85.

The archbishop of Cashel who made peace between the convents was *David MacCaghwell* (1253–1289), who took a special interest in the Cistercian Order.

85.

Inspeximus by P., abbot of Dublin, H., abbot of Mellifont, and other abbots of the order, addressed to the abbots of Citeaux, la Ferté, Pontigny, Clairvaux, and Morimund, of the pacification made between the convents of Jerpoint and Duiske, viz., that Peter, the abbot of Jerpoint, and his convent abandon all claims upon Killenny or upon the grange of Annamult to the convent of Duiske, for 1300 marks sterling money, and bind themselves in 1000 marks accordingly.

Dated at Castle Dermot, 15 May, 1289.

Reuerendis patribus suis in Christo de Cistercio . . . de Firmitate . . . de Pontiniaco . . . de Clareualle : . . de Morimundo dictis abbatibus, fratres P. et H. de Dublin: et de Mellifonte abbates in Hybernia, nec non et ceteri

¹ *Gallia Christiana*, iv, 997.

abbates dicte terre quorum sigilla presentibus appendent salutem et deuotam ac paratam in omnibus subiectionem.

Noueritis nos formam pacis inter abbatem Jeripontis et eius conuentum et abbatem de Sancto Salvatore et eius conuentum, ad perpetuam releuationem ad diuersorum debitorum exonerationem domus Jeripontis et alterius domus de Sancto Salvatore tranquillitatem, licet in multis grauantur, in verba subscripta non abolitam non uitiatam, sub sigillo abbatis Jeripontis de consensu sui conuentus et sigillis quatuordecim abbatum testimonium ueritati perhibentium inspexisse:

“Uniuerfis presentes literas uisuris uel auditoris Frater Petrus dictus abbas de Jeriponte et eiusdem loci conuentus salutem in Domino.

Noueritis nos ex unanimi assensu nostro et uoluntate nostra et conuentus nostri remisisse et omnino in perpetuum quietum clamasse pro nobis et successoribus nostris abbati et conuentui de Sancto Salvatore et eiusdem loci conuentui et eorum successoribus totum ius et clameum quod habuimus uel aliquo tempore seu titulo habere poterimus in Kyllenny cum omnibus pertinentiis suis, una cum grangia de Athnemolt et pertinentiis suis; ita quod nec nos nec successores nostri nec aliquis pro nobis seu nomine nostro ius uel clameum inde uendicare poterimus infuturum, pro mille et trescentis marcis sterlingorum honorum et legalium, quas dicti abbas et conuentus de Sancto Salvatore nobis soluerunt et dederunt in pecunia numerata; et si aliquid contra hoc attemptatum fuerit, quod absit, irritum sit et inane. Si uero contingat quod nos uel aliquis pro nobis contra istam nostram quietam clamationem recalcitrare presumpserimus uel presumpserit, subiicimus nos et omnia bona nostra iurisdictioni domini abbatis Cistercii qui pro tempore fuerit et quatuor primorum de Firmitate de Pontiniaco de Clareuallie et de Morimundo abbatum qui pro tempore fuerint, quod ipsi percipiant de nobis et domo nostra mille marcas sterlingorum nomine puri debiti ad istam compositionem obseruandam, si nos uel aliquis pro nobis dictos abbatem et conuentum de Sancto Salvatore inquietare presumpserimus uel presumpserit, renunciantes in premissis pro nobis et conuentu nostro et successoribus nostris omnibus cauillationibus defensionibus[†] priuilegiis impetratis et impetrandis et omnibus aliis literis et definitionibus capituli generalis ordinis Cisterciensis, que nobis uidelicet abbati et conuentui de Jeriponte qui pro tempore fuerit prodesse poterunt, et predictis abbati et conuentui de Sancto Salvatore et eorum successoribus in aliquibus obesse.

Et ne hoc nobis uertatur in dubium presentibus literis sigilla nostra apposuiimus.”

Datum apud Tristeldermot Idibus Maii anno domini MCC octogesimo IX in presencia monachorum Clareuallis qui hoc anno generationem Mellifontis uisitarunt.

Most of the abbatial seals have disappeared, but fragments of four still remain.

We have a note in the Extracts from the Duiske Registers (FL) of the instrument of which this is an *Inspeximus*. It was given at Tullaherin, co. Kilkenny,

by Peter, the abbot of Jerpoint, on 29 May, 1288, in the presence of the abbots of St. Mary's, Mellifont, Baltinglass, Beetive, Monasterevan, Abbeyleix, Tintern, Dunbrody, Monaster Nenagh, Inislawnaght (Tipperary), Kilcooley, Holy Cross, and Cashel.

There was no Cistercian house at Castle Dermot (or Tristel Dermot, *Tristle Diarmada*, St. Dermot's Hermitage) in co. Kildare; but it was an important place in the thirteenth and fourteenth centuries, and conveniently situated for a conference of abbots from the various parts of Ireland.

"P., abbot of Dublin," was *Philip Troy*, abbot of St. Mary's, who died 1304; and "H., abbot of Mellifont," was *Hugh O'Hessan*, who resigned in 1300.

86.

Certificate to J., abbot of Clairvaux, from H., abbot of Mellifont, J., abbot of Fermoy, M., abbot of Kilcooley, and L., abbot of Cashel—summoned to Jerpoint by R. and G., monks of Clairvaux, who were visiting Ireland in order to inquire into the pacification between the convents of Jerpoint and Duiske—that the settlement transferring Killenny and the grange of Annamult to Duiske has been ratified, Duiske having paid Jerpoint 1000 marks, and undertaking to pay 310 marks more within five years; Jerpoint stating that without these moneys they could not meet their obligations.

Dated at Jerpoint, 23 May, 1289.

Reuerendo Patri in Christo Domino J. abbati Clareuallensi: Fratres H. de Mellifonte, J. de Castro Dei, M. de Aruicampo et L. de Rupe Casselensis dicti abbates salutem in domino sempiternam.

Nouerit uniuersitas uestra quod nos prefati abbates, uocati ad domum Jeripontis per fratres R. et G. monachos Clareuallenses ad Hyberniam uisitandi gratia destinatos pro inquisitione facienda super compositione facta inter abbatem et conuentum Sancti Saluatoris ex una parte et abbatem et conuentum de Jeriponte ex altera, pro grangia de Athmemolth et terris et possessionibus de Killenny cum suis pertinentiis, audiuius a prefatis abbate et conuentu Jeripontis quod ipsi receperant a predictis abbate et conuentu Sancti Saluatoris pro compositione facta inter ipsos et resignatione predictorum possessionum mille marcas in pecunia numerata; et predicti abbas et conuentus de Sancto Salvatore adhuc tenebantur soluere prefatis abbati et conuentui de Jeriponte trecentas et decem marcas sterlingorum pro compositione supradicta, quas predictus abbas et conuentus de Sancto Salvatore tenentur eisdem soluere diuersis terminis infra quinque annos de quibus inter ipsos littere sunt confecte.

Dicti uero abbas et conuentus Jeripontis dictam compositionem coram nobis ratificauerunt et in pleno capitulo sollempnizarunt, asserentes quod ne dicta compositio inter ipsos fuisset facta, ceteras possessiones suas compellerentur uendere uel perpetue paupertati subiacere.

In cuius rei testimonium presenti scripto sigilla nostra apponi fecimus.

Datum in domo Jeripontis die Sancti Desiderii episcopi et martiris anno domini MCC octogesimo nono.

There are two original copies of this instrument extant. Of the four seals only portions remain, but to one copy is attached a good impression of the seal of the abbot of the Rock of Cashel (see Plate II).

For *H.*, abbot of Mellifont, see p. 117. The name of the abbot of Clairvaux was *John*.¹

The monastery *de Castro Dei* was Fermoy, co. Cork; *de Arvicampo* was Kilcooley, co. Tipperary; and *de Rupe Casselensis* was Hore Abbey, of the Rock of Cashel, in the same county.

The details of the debts of Jerpoint, which were to be discharged by these moneys paid by the convent of Duiske, are set out in no. 88.

87.

Acknowledgment by Richard de St. Florence and William his brother that they have received from the abbot and convent of Duiske a box containing muniments which had been in the custody of the said convent.

Dated 25 July, 1289.

Uniuersis Christi fidelibus presentes literas uisuris uel audituris Ricardus de Sancto Florencio et Willelmus frater eius salutem eternam in domino.

Nouerit uniuersitas uestra nos a dilectis nobis in Christo abbate et conuentu de Sancto Salvatore pixidem cum munimentis nostris die Sancti Jacobi apostoli uidelicet anno domini MCC octogessimo nono recepisse, que quidem munimenta fuerunt in custodia predictorum abbatis et conuentus.

In cuius rei testimonium presenti scripto sigilla nostra apposuiamus.

This is the sequel of the transactions set out in nos. 82, 83.

Presumably *Richard de St. Florence* and *William* his brother were the sons of *Alan de St. Florence* (see pp. 85, 113), but this is not quite certain.

88.

Indenture between Peter, abbot of Jerpoint, and John, abbot of Duiske, giving the details of the payments made by Duiske on behalf of Jerpoint, in accordance with their recent agreement [nos. 84, 85, 86], in 1288 and 1289, viz.:

To Adam Blund of Callan, 120 marks;

To Walter de la Hay, King's escheator, and other creditors of Thomastown, 80 marks;

To Borimecinus and Bonifacius, merchants, 40 marks;

To Leonard Teste, a merchant of Lucca, 30 marks;

¹ *Gallia Christiana*, iv, 808.

To Robert Serman, burgess of New Ross, 20 marks;
 To the abbey of St. Mary's, Dublin, 20 marks;
 To the convent of Jerpoint, for redeeming their lands, 60 marks;
 Also, Duiske exonerated Jerpoint in regard to certain sums, viz.:
 520 marks due to Bendinus Pannyth and his firm, merchants of Lucca;
 120 marks due to the same firm for 8 sacks of wool;
 And 290 marks paid for redemption of lands in the hands of secular persons, viz., Elias de Hipstone and Master Richard de Blancheville.

Omnibus has litteras uisuris uel audituris Fratres Petrus et Johannes de Jeriponte et Sancto Salvatore dicti abbates et eorum conuentus salutem in domino.

Nouerit uniuersitas uestra quod abbas et conuentus de Sancto Salvatore abbati et conuentui de Jeriponte et suis creditoribus ad releuamen et maximam domus Jeripontis utilitatem pro compositione inter eosdem facta omnes pecunie summas inferius notatas, de quibus summis nos de Jeriponte in bona conscientia protestamur in parte bene esse paccatos† et in alia parte uersus diuersos creditores totaliter esse exoneratos. •

Solutiones uero sunt iste:

In primis, Ade Blundo de Callan centum et uiginti marcas. Item Domino Waltero de la Hay Escaetori domini Regis Anglie in Hibernia et aliis creditoribus de Villa Thomae quatuor uiginti marcas. Item Borincino et Bonefacio mercatoribus quadraginta marcas. Item Leonardo Teste ciui et mercatori de Luky triginta marcas. Item Roberto Serman burgensi de Nouo Rosponde uiginti marcas. Item domino abbati et conuentui domus Sancte Marie iuxta Dublin uiginti marcas. Item nobis ipsis de Jeriponte pro terris nostris redimendis sexaginta marcas. Iste sunt solutiones pro nobis facte anno domini MCC octagesimo octauo et anno domini MCC octagesimo nono.

Exonerationes uero sunt iste:

In primis erga Bendinum Pannyth et socios suos ciues et mercatores de Luky, quorum acquietancias penes nos habemus de quingentis et uiginti marcis sterlingorum. Item erga eosdem de octo grossis saccis bone lane, pretium cuiuslibet sacci quindecim marcas, summa omnium saccorum centum et uiginti marcas. Item pro redemptione terrarum in manibus secularium, uidelicet Elye de Hipstone et magistri Ricardi de Blancauille, ducentas quater uiginti et decem marcas.

Unde nos dicti abbas et conuentus de Jeriponte, ut omnis scrupulus de medio tollatur et occasio malignorum precludatur, fatemur et protestamur, non causa lenitatis sed causa per maxime utilitatis nobis et domui nostre de Jeriponte inperpetuum profuture, supradictas solutiones et exonerationes a dilectis nobis in Christo abbate et conuentu de Sancto Salvatore totaliter et fideliter recepisse annis quibus supra.

In cuius rei testimonium huic scripto in modum cyrographi inter nos confecto sigilla nostra alternatim apponi fecimus.

A small piece of the seal is left. The deed must be of the year 1289.

It is plain that Jerpoint had got into financial difficulties of a serious nature, and it is also plain that Duiske was uneasy about its tenure of the lands of Killenny, or it would not have paid so large a sum as 1300 marks for the benefit of a rival house.

Adam Blund of Callan, the first-named creditor, was the second of the four husbands of Dame Alice Kyteler, who was accused of witchcraft by Bishop de Ledrede of Ossory in 1324, and narrowly escaped being burnt as a witch.¹ His son was Prebendary of Kilmanagh in 1303.² In later times the family called themselves "White" = *Le Blond*.

Walter de la Haye, the King's escheator, appears as an itinerant judge in 1291,³ and also in 1306.⁴

Robert Serman appears as a trader at Ross in 1287.⁵

The *merchants of Lucca*, who appear as creditors, were some of the many Italian financial agents or bankers who carried on business in Ireland during the thirteenth and fourteenth centuries. That Jerpoint had dealings in wool is quite natural, as the wool trade was largely in the hands of the Cistercian order, who depended upon sheep farming rather than upon agriculture. See p. 124.

For the *Blanchevilles* see p. 113; *Richard de Blancheville* appears again in 1312.⁶

89.

Confirmation by Theobald, abbot of Citeaux, and John, abbot of Clairvaux, on behalf of the General Chapter of the Cistercian Order, of the agreement reached by the convents of Jerpoint and Duiske in 1289 [nos. 84, 85, 86].

Dated at Citeaux, 1289.

Uniuersis Christi fidelibus presentes literas uisuris uel audituris Fratres Theobaldus et Johannes de Cystercio et de Claraualle abbates salutem in domino sempiternam.

Quoniam sit amica contemplationi pacis securitas et odiosa perturbatio, attendentes ex unanimi consensu et uoluntate abbatis et conuentus Jeripontis et abbatis et conuentus de Sancto Saluatore, super lite iam inter eos mota in forma pacis amicabile sicut patet per eorum scripta quieuerunt:

Nos igitur quorum interest in hac parte, ut omnis scrupulus tollatur in posterum et precludatur occasio malignorum, unanimi consilio diffinitorum capituli generalis predictam pacis formam inter eos factam anno domini MCC octogesimo nono firmiter tenore presenti approbamus et autoritate nostra et totius capituli generalis confirmamus. Insuper uniuersis tam abbatibus quam monachis et conuersis undecumque fuerint perpetuum imponimus silentium, ne aliquo tempore contra prefatam pacis formam aliquatenus

¹ See *Proceedings against Dame Alice Kyteler* (Camden Society, 1843), p. 61.

² Carrigan, i, 252.

³ C.M.A. i, 2.

⁴ Hore's *New Ross*, p. 167, and *Tintern*, p. 222.

⁵ Hore's *New Ross*, p. 159.

⁶ Carrigan, iii, 414.

reclamare uel ipsam quomodolibet audeant perturbare, decernentes irritum et inane quicquid in contrarium impetratum uel quomodocumque fuerit attemptatum.

In cuius rei testimonium presentibus literis sigilla nostra apposuiimus.

Datum apud Cistercium tempore capituli generalis anno quo supra.

Of the two seals of the abbots, only a fragment of one is left.

90.

Bond executed by Thomas, abbot of Jerpoint, and his convent for £10,000 sterling, that they will not disturb the convent of Duiske in the possession of Killenny or the grange of Annamult, in consideration of which Duiske has paid 1300 marks; and also for £1000 in florins to be paid to the funds of the Cistercian Order at Citeaux, £100 to each of the four principal abbots, and £1000 to the pope, in case of such disturbance.

Dated at Dublin, 6 Dec. 1290.

Uniuersis ad quos litere presentes peruenerint Frater Thomas dictus abbas de Jeriponte et eiusdem loci conuentus salutem in domino.

Cum abbas et conuentus de Sancto Salvatore de Dowisky nobis et predecessoribus nostris ad utilitatem domus nostre de mille et trecentis marcis bonorum et fidelium sterlingorum in certo numero computatorum fideliter et integre nuper satisfecissent, de quibus per presentes acquietancias nostras plenarie nobis et domui nostre predictae satisfactum fuisse confitemur, pro redemptione Grangie sue de Athnemolt et quieta clamancia ac remissione de Kyllenny, cum omni iure suo quod umquam ad nos uel domum nostram predictam quouis titulo pertinuit uel pertinere potuit seu debuit, sicut alia instrumenta inde confecta plenius testantur:

Nos uero timentes ne super premissis terris uel tenementis seu aliqua earum parte uel aliquo alio iure ad nos uel domum nostram pertinente de cetero poterit questio lis uel contentionis materia per nos uel quemcumque successorum nostrorum oriri, unde predicti abbas et conuentus de Sancto Salvatore uel eorum successores inplacitari poterunt, grauari, seu in aliquo molestari: Ideo obligamus nos per presentes, et successores nostros et omnia bona nostra mobilia et immobilia ecclesiastica et temporalia ad quorumcumque manus deuenierint, teneri, predictis abbati et conuentui de Sancto Salvatore et eorum successoribus in decem milibus libris sterlingorum nomine puri debiti, si nos uel quius successorum nostrorum predictos abbatem et conuentum de Sancto Salvatore aut eorum successores in aliqua re magna uel quantumcumque parua de cetero umquam inplacitauerimus in quacumque curia ecclesiastica uel seculari grauerimus uel disturbauerimus, de hiis que ad monasterium Vallis Dei que uulgo Kyllenny appellatur uel predicta grangia de Athnemolt aut aliqua earumdem portiuncula quantumcumque parua uel

aliquo alio iure que ad nos uel domum nostram de Jeriponte unquam pertinuit uel pertinere potuit, quocumque nomine ius illud cenceatur in presenti uel cenceri poterit in futuro:

Ita quod in nulla curia ecclesiastica uel seculari nec etiam in nostro capitulo generali uel alio quocumque capitulo admitti nolumus sicut nec debemus ad inplacitandum grauandum uel in aliqua re quantumcumque parua disturbandum eosdem abbatem et conuentum uel eorum successores; si, quod absit, ad hec faciendum de cetero nos uel quiuus successorum nostrorum quocumque titulo uel iuris colore aliquo modo presumpserimus quoad usque infra mensem a primo die litis mote uel contencionis in quacumque curia uel capitulo ut predictum est de predictis decem milibus libris integre et plenarie et uno die per nos fuerit satisfactum eisdem; uolumus igitur et tenore presentium nos obligamus teneri domino abbati Cistercii, si contra premissa uel aliqua premisorum unquam uenerimus, in mille libris florinorum in subsidium operis Cistercii:

Et cuilibet quatuor primorum abbatum in centum libris florinorum nomine puri debiti infra mensem a die litis mote soluendorum ita quod aliter non admittamur ad agendum;

Et hoc lege qua supra obligamus igitur nos domino Summo Pontifici in mille libris florinorum lege qua supra in subsidium Terre Sancte soluendorum si contra premissa uel aliqua premissorum aliquid attemptauerimus. Renunciamus insuper in premissis et quolibet premissorum omni iuris remedio ecclesiastici et ciuilis et omni priuilegio inpetrato uel inpetrando et omnibus aliis et singulis que nobis prodesse poterunt et illis obesse a die confectionis presentium et deinceps; literas autem omnes et singulas que penes nos manent per quas lis oriri poterit in futuro et nobis actio competere irritas esse censemus per presentes et inanes, nulliusque existere momenti uel uigoris.

In cuius rei testimonium presentibus literis sigillum nostrum apponi fecimus.

Datum apud Dublin: in festo Sancti Nicholai anno domini MCC nonogesimo.

Of this document there are two original sealed copies. The seal of abbot Thomas of Jerpoint (see Plate II) remains attached to one of them: the legend is: (SI)GILL' ABBATIS DE IERIPON(TE).

The abbot of Duiske was now an important and conspicuous person. There is an instructive entry in the Patent Rolls for April 29, 1291: "Letters of attorney for 3 years in Ireland under the names of brother John, abbot of Duiske, and Elias de Ibbeston, for Gilbert de Clare, earl of Gloucester and Hereford, and Joan his wife."¹ This Elias de Ibbeston, or Hipston, is probably the man we have met with in no. 88.

¹ C.D.I. iii, 882.

91.

Lease of a messuage and six acres in the holding of Coolmacsamny in Offathe, for 40 years, granted by Matthew le Bruce and Margery his wife to the convent of Duiske; the convent to provide a monk to celebrate divine offices in the chapel for their souls, and to pay a certain sum to the lessees who are in need of money.

2 Feb. 1297.

Hec est conuentio facta inter abbatem et conuentum Sancti Saluatoris de Dowisky ex una parte et Matheum le Bruce ex altera et Margeriam uxorem eiusdem :

Videlicet quod iidem Matheus et Margeria dimiserunt ad firmam predictis abbati et conuentui unum mesuagium et sex acras terre cum pertinentiis suis in tenemento suo de Coulmacsaury† in Offathe ad terminum quadraginta annorum pro quadam summa pecunie predictis Matheo et Margerie in urgenti necessitate sua tradita in festo Purificationis beate Virginis anno domini MCC nonagesimo sexto et durante usque ad finem quadraginta annorum proximo sequentium plenarie completorum ; habendum et tenendum de predictis Matheo assignatis predictis abbati et conuentui predictum mesuagium et sex acras terre iure suo libere bene et in pace sine alicuius contradictionis obstaculo :

ita quod predicti abbas et conuentus et Margerie annuatim in duabus robis quoad uixerint suo termino durante predictae heredes et assignati tenentur warantizare defendere et acquitare predictum terminum predictis abbati et conuentui contra omnes homines et feminas.

Et predicti abbas et conuentus inueniant unum monachum ydoneum in dicta capella ad celebrandum diuina pro animabus nostris et omnium fidelium defunctorum. In cuius rei testimonium presenti scripto in modum cyrographi confecto part sigilla sua apposuerunt.

Hiis testibus Domino P. le Tyler decano cathedrali Watyrford, Domino J. le Syrl archidiacono eiusdem loci, Domino J. le Poer milite, Petro et Ricardo filiis nostris, et multis aliis.

Sir Robert le Poer, who was marshal of Henry II, was given a large part of co. Waterford at the end of the twelfth century, and *Coolmacsamny* in *Offathe* was an estate of the le Poers. *Sir J. le Poer*, who appears as a witness to this deed, may be the knight of that name who was the fourth husband of Dame Alice Kyteler (see p. 120) in 1324. He was sheriff of Waterford in 1304.¹ Or, perhaps, he is to be identified with Sir John de la Poer, a monk of Duiske, who was assassinated in 1316.²

¹ See *Proceedings against Dame Alice Kyteler* (Camden Society, 1843), p. 49.

² See p. 133.

Matthew le Bruce, who granted this lease, appears at Waterford in 1266.¹ Perhaps his son *Richard*, who is a witness, was the *Richard de Brus* who attested a charter of Edward II to Maynooth, granted at Canterbury in 1321.²

P. le Tyler, the dean, and *J. le Syrl*, the archdeacon of Waterford (if that be his name), do not seem to be otherwise known. They are not noted in Cotton's *Fasti*.

The abbey of Duiske appears in 1297 in the Justiciary Rolls.³ In that year the abbey of Holy Cross and its tenements were delivered to the abbot of Duiske to keep, by the Justiciar of Ireland, until otherwise ordered.

92.

Acknowledgment by the convent of Duiske of debts due to Gerard Chimbardi of Dublin and his firm, the Ricardi of Lucca, of £466 13s. 4d.; viz., £66 13s. 4d. at call, and the remainder in four years, £100 in wool annually; this to be in addition to 12 small sacks of wool which the convent is bound to pay within six years as set out in a former agreement.

Dated at Dublin, 6 May, 1299.

Uniuersis ad quos presens scriptum peruenerit abbas domus de Sancto Salvatore que uocatur Dowisky et eiusdem loci conuentus salutem in domino.

Noueritis nos sexto die Maii anno domini MCC nonogesimo nono computasse cum Gerardo Chimbardi apud Dublin et sociis suis mercatoribus de societate Ricardorum de Luky, tam de denariis per diuersas uices per ipsos mercatores nobis mutuatis, quam de lanis nostris per eosdem uel suos attornatos de nobis receptis, et item de arreragiis lanarum in quibus eisdem tenebamur de terminis preteritis, necnon et de bladis⁴ nostris tam domino regi quam ipsis mercatoribus liberatis et quibuscunque aliis debitis omniscunque generis uel conuentionis, in quibus prefatis mercatoribus tenebamur quoque in annum et diem confectionis presen predictum est; exceptis de duodecim paruis saccis lane nostre proprie addubiate in quibus tenemur prefatis mercatoribus per aliam literam nostram obligatoriam ad soluendam infra sex annos sicut in litera illa plenius continetur:

Ita quod preter predictos duodecim paruos saccos lane nostre addubiate confitemur nos teneri prefatis mercatoribus in quadringentis sexaginta et sex libris tres decem solidis et quatuor denariis sterlingorum de puro et claro debito, de quibus tenemur soluere predictis mercatoribus sexaginta et sex libras et tres decem solidos et quatuor denarias ad ipsorum uoluntatem, et residuas quadringentas libras allocabimus eisdem mercatoribus in lanis nostris eis liberandis ad quatuor terminos subscriptos, uidelicet centum libras ad festum beate Marie Magdalene anno supradicto et siquid residuum lane

¹ Hore's *New Ross*, p. 137.

³ *Cal. of Justiciary Rolls (Ireland)*, i, p. 136.

² *Chartae*, &c., p. 52.

⁴ I.e. 'crops,' from *bladum*.

fuerit matricis agnine peline aut lokys¹ tenebuntur dicti mercatores uel unus eorum qui lanam recipiet nobis satisfacere in pecunia numerata in reparatione lane eiusdem secundum formam et conditionem lane, prout continetur in magna litera de termino sexdecem annorum prius inter nos confecta, et sicut de anno in annum et termino in terminum durante terminis quatuor annorum.

Et tenemur soluere eisdem centum libras ad festum beate Marie Magdalene anno domini MCCC in lana nostra quam eodem anno recipient, et centum libras ad idem festum anno domini MCCC primo quam recipient in lana nostra anno eodem, et centum libras ad idem festum anno domini MCCC secundo in lana nostra quam eodem anno recipient.

Et si contingat nos aliquo anno predicto lanas de propriis bidentibus nostris non habere ad ualenciam centum librarum, tunc quantum defecerit de lanis illis non ua illam summam centum librarum quocumque anno predicto tenere eisdem mercatoribus aut uni eorum in pecunia satisfacere secundum uendicationem lane magne litere inter nos confecte. In eodem festo beate Marie Magdalene in quo talis defectus nobis contigerit ad omnia fideliter obseruanda obligamur nos successores nostros et omnia bona nostra mobilia et immobilia ecclesiastica et temporalia ad quorumcumque nobis decreuerint scaccarii Dublinensis sub pena eiusdem scaccarii et districtioni cuiuscumque alterius iudicis ecclesiastici uel secularis, quos uel quem unus eorum mercatorum duxerit eligendum tam ad dictas solutiones seu allocaciones faciendas, quam ad restituendum predictis mercatoribus omnia dampna sua et expensas que uel quas incurrerint seu fecerint pro defectu earundem super quibus dampnis et expensis secundum considerationem fidedignorum eisdem satisfiet.

In cuius rei testimonium sigillum nostrum presenti scripto apposuimus.

Datum Dublin: sexto die Maii anno domini MCC nonagesimo nono.

Of the two seals formerly attached to this instrument, one is lost.

The *Ricardi of Lucca* were a firm of Italian bankers, trading in Ireland, who bought wool from the convent (see p. 120). They had banking houses in Dublin, Kilkenny, Ross, Waterford, and other places.

"*Gerard Chimbard* and his associates, collectors of the issues of the new Custom on wool, hides, &c.," appear at Wexford in 1296.² We find *Gerard Chimbard* also in a deed of Christ Church, Dublin (no. 164), about the year 1301.

During the period which we have reached, King Edward I was engaged in war with Scotland, and it became necessary for him to get men and money to prosecute his campaigns.

In the Patent Rolls, we find under the date 17 Jan., 1300, "Royal letters of credence for John Wogan, justiciary of Ireland, expounding the King's need of aid from the spirituality of Dublin," addressed to various ecclesiastics, and among others to the abbot of Duiske.³

¹ *Lokka* = a lock of wool.

² Hore's *Wexford*, p. 97.

³ C.D.I. iv, 718.

On April 1 of the same year (1300), "the King notifies the Treasurer and Barons of the Exchequer at Dublin that he grants to the abbot of Duiske that of the debts in which the abbot is bound to that Exchequer on account of the Ricardi of Lucca, he may pay during pleasure at that Exchequer £100 a year, half at Michaelmas, the other half at Easter."¹

The sequel is set out and fully explained in the document next in date among the Duiske papers.

93.

Letters patent of King Edward I, viz.: Whereas by former letters patent the King granted to his commissioners Geoffrey de Geneville, John Wogan, justiciar, Richard de Bereford, treasurer of the exchequer at Dublin, Roger de Ingepeime, Walter Wogan, and Master John de Okle, to remit to crown debtors two-thirds of their debts, provided that for the remaining one-third they come with horses and arms to Scotland for the war, and that the same be expended in wages, etc., according to the number of men brought and the time they stay in the King's service; and whereas the convent of Duiske owes the firm of the Ricardi of Lucca £342 17s. 3d., to be paid within 4 years, as of record in the Exchequer Rolls, and the Ricardi are bound to the King in a large amount, it is ordered: That in consideration of £114 5s. 9d., now paid by the convent to John Deneger for the wages of 6 men-at-arms and horses, 12 hobelarii,² and 62 footmen for the war as above, the whole of their debt to the aforesaid merchants shall be extinguished.

Dublin, 25 June, 1301.

Edwardus dei gratia Rex Anglie Dominus Hibernie et Dux Aquitanie omnibus ad quos presentes litere peruenerint salutem.

Cum nuper per literas nostras patentes sub magno sigillo nostro commissemus dilectis et fidelibus nostris Galfrido de Geneuille, Johanni Wogan Justiciario nostro Hibernie, Ricardo de Bereford Thesaurario scaccarii nostri Dublin: Rogero de Ingepeime, Waltero Wogan, et Magistro Johanni de Okle, et quinque uel quatuor uel tribus ex eis, specialem potestatem ad remittendum et perdonandum omnibus illis de Hibernia qui debita nobis debent et qui ad nos cum equis et armis ad partes Scotie in guerre nostre subsidium sunt uenturi, duas partes omnium huiusmodi debitorum, ita uidelicet quod pro tercia parte huiusmodi debitorum cum equis et armis ad nos ueniant ad partes predictas in seruicium nostrum sicut predictum est, et quod eadem tercia pars cedat eis in solutionem uadiorum et amissionem equorum et omnium aliorum sumptuum seu missarum, secundum numerum hominum

¹ C.D.I. iv, 734.

² I.e. light-armed horsemen.

quos adducent et tempus quo in dictis partibus in nostro obsequio morabuntur, saluo tantummodo passagio eorundem in ueniendo ad partes predictas et de eisdem partibus reuertendo; et mercatores de societate Ricardorum de Luky, quibus abbas de Dowisky tenetur in trescentas quadraginta et duabus libris decem et septem solidis et tribus denariis soluendis infra quatuor annos proximo uenturos ad certos terminos, prout per recordum rotulorum seaccarii nostri Dublini constat euidenter, nobis teneantur in magna summa pecunie:

Nos per predictos iusticiarios, thesaurarium, Rogerum, Walterum, et Magistrum Johannem, pro centum et quatuordecim libris quinque solidis et nouem denariis, quos idem abbas soluit Johanni Deneger in instanti ad uadia sex hominum ad arma cum totidem equis coopertis et duodecim hobelariorum competenter armatorum et sexaginta et duorum hominum peditum in comitiua predicti iusticiarii nostri Hibernie ad nos in subsidium guerre nostre predictae uenientium, soluenda et acquitanda per centum dies remisimus et perdonauimus predictis mercatoribus totum predictum debitum trescentarum quadraginta et duarum librarum decem et septem solidorum et trium denariorum, ita quod idem abbas uersus eosdem mercatores sit quietus de eisdem, et ipsum abbatem inde uersus eos acquietamus et acquietare faciemus. Volumus eciam et precipimus quod totum predictum debitum trescentarum quadraginta et duarum librarum decem et septem solidorum et trium denariorum predictis mercatoribus, in compoto suo nobis reddendo de debitis in quibus nobis tenentur, penitus allocetur.

In cuius rei testimonium has literas nostras fieri fecimus patentes.

Testibus prefatis iusticiariis, thesaurario, Rogero, Waltero, et Magistro Johanne; apud Dublin: uicesimo quinto die Junii anno regni nostri uicesimo nono.

Two seals are attached to these Letters Patent, of which a *précis* is preserved in E.

It must be remembered that the abbot of Duiske, like the heads of other religious houses, was under obligation to supply soldiers for the king's service, just as lay landowners were. And we find that as late as 1537 the abbot of Duiske exacted from his tenants the oppressive custom of "coyne and livery," applicable to this purpose.¹

Geoffrey de Joinville, or *Geneville*, assisted in the government of Ireland, as Viceroy, and as justiciary. He married Matilda de Lacy, and died at Trim, as a Dominican monk, in 1314.

Sir John Wogan, justiciary, played a large part in Irish affairs towards the end of the thirteenth century. It was he who, as Viceroy, was responsible for the humiliation of the order of Templars in Ireland in 1308.

Richard de Bereford was appointed treasurer of the Irish Exchequer 3 June, 1300, and became Chancellor of Ireland in 1314.

Walter Wogan appears as seneschal of Wexford, and as custodian of the royal manors at Old Ross, about 1310-12.²

¹ See Graves, *Presentments of Grievances temp. Hen. VIII*, p. 120.

² Hore's *New Ross*, pp. 175-177.

John Ocle held two carucates at Mount Garrett, co. Wexford, in 1306.¹ He appears in 1299 and 1302 in the Irish Justiciary Rolls.²

There is also extant an *Inspeximus* made in the thirteenth year of Edward II (1320) of these Letters Patent, exonerating the merchants named therein from their debt to the royal exchequer.

94.

Grant by William, bishop of Ossory, and his chapter, to the convent of Duiske for their own use, of the church of Offerlane with its chapels, &c. ; as expressed in the charter and quit claim of William le Gras of pious memory, saving all dues to the bishop and chapter ; the bishop to collate to the vicarage when vacant.

Uniuersis Christi fidelibus presens scriptum uisuris uel audituris Willelmus dei gratia Ossoriensis episcopus eternam in domino salutem.

Quoniam ea que perpetua firmitate debent gaudere ad perpetuam memoriam publice debent commendari scripture, ad uniuersitatis uestre noticiam uolumus peruenire, nos consilio et assensu decani et capituli ecclesie cathedralis nostre de Kylkenny concessisse et hac presenti carta nostra confirmasse uiris religiosis abbati Sancti Saluatoris de Dolbisky et monachis ibidem deo seruientibus presentibus et futuris diuine pietatis intuitu et sacrosancte religionis obtentu ecclesiam de Offarkelan cum suis capellis omnibus singulis et omnibus aliis suis pertinentiis, sicut melius et plenius in carta et quieta clamancia bone memorie Domini Willelmi le Gras continetur, in proprios usus conuertendam et in perpetuum possidendam, saluis omnibus oneribus ordinariis et extraordinariis ad dictam ecclesiam et suas capellas spectantibus debitis et consuetis : Ita quod occasione exemptionis priuilegiorum dictorum abbatis et monachorum nullum preiudicium quo ad premissa onera ordinaria et extraordinaria nobis et ecclesie nostre predicte et successoribus nostris poterit generari, salua nobis et successoribus nostris collatione uicarie cum uacare contigerit.

Et quia uolumus quod hec nostra deuota et caritatiua concessio et confirmatio rata et inconcussa in posterum permaneat, eam presentis scripti nostri testimonio et sigilli nostri appositione una cum sigillo capituli nostri ecclesie cathedralis de Kylkenny dignum duximus roborari.

Hiis testibus, Magistro Johanne dicto Lupo decano cathedrali de Kylkenny, Nicholao de Exenia archidiacono Ossoriensi, Domino Symone Dunnyng precentore, Magistris Mauricio de Blauncheuille, thesaurario, et Mauricio de Deueneys, Nicholao filio Johannis, predicte ecclesie canonicis, et aliis.

The chapter seal is gone ; but about three-quarters of the bishop's beautiful seal remains (see Plate II).

¹ Hore's *New Ross*, p. 171.

² *Cal. of Justiciary Rolls of Ireland*, i, 283, 394.

William Fitz John was bishop of Ossory from 1303 to 1317; and as this instrument must be earlier than no. 96, which was executed 1 May, 1305, its date can be fixed within narrow limits, viz., between 13 Jan., 1303 (when the bishop was consecrated), and 1 May, 1305.

Offerlane is still a parish of Ossory diocese in Queen's Co. In 1247 when the Marshal estates were distributed among the five sisters (see p. 32), *William le Gras* or *William Crassus* was returned as holding half a Knight's fee in Offerlane¹ (see p. 16). Probably this land had been granted to the first William Crassus by the great Earl Marshal. Of the grant to the convent by William le Gras we have no other record.

John Lupus, or de Low, was dean of Ossory, and appears elsewhere, although the dates of his appearance cannot be precisely fixed.

Simon Dunning, precentor of Ossory, died in 1334 (not in 1434, as it is misprinted in *Cotton's Fasti*). He is buried in St. Canice's Cathedral, Kilkenny.

Maurice de Blancheville appears as Treasurer of Ossory in 1295; he became bishop of Leighlin in 1309.

Nicholas Fitz John, presumably a kinsman of the bishop, became Dean of Ossory subsequently.

95.

Quit claim by John, son of Stephen de Valle, of all rights in Tulachany as against the convent of Duiske.

John had succeeded at the Kilkenny assizes in obtaining a writ against Henry, the abbot, requiring him to restore 1 messuage, 5 carucates of land, 60 acres of wood, 40 acres of moor, and 16 acres of meadow in Tulachany, which John claimed to hold in chief from the Earl of Gloucester.

But the abbot produced before the King's justices in eyre, Gilbert de Sutton and William de Hawkesville, a deed of Alan de Valle, John's grandfather, surrendering all rights in Tulachany, whereupon John yielded and bound himself in £1000 not to put forward his claim again.

Dated at Duiske, Sunday, 28 March, 1305.

Uniuersis ad quos littere presentes peruenerint Johannes de Valle filius et heres Stephani de Valle salutem in domino.

Nouerit uniuersitas uestra quod cum ego in assisis Kylkenny breue de recto coram senescallo eiusdem libertatis super fratrem Henricum abbatem de Sancto Saluatore de Dowisky detulissem, ut ipse michi redderet unum mesuagium quinque carucatas terre, sexaginta acras bosci, quadraginta acras more, et sexdecim acras prati cum pertinentiis suis in Tulachany, que clamaui ut ius et hereditatem meam et tenere de Domino Comite Glouuernie in capite; et postea libertas eiusdem comitatus pendente breui meo predicto casu inopinato ad

¹ C.M.A. ii, 405.

manum domini regis fuisset deuoluta, ac iusticiarii per breue domini Regis ad itinerandum cum plena potestate uidelicet dominus Gilbertus de Sotton et Willelmus de Haukeswylle fuissent transmissi, tandem breue meum leuari procuravi et placitaui: ad quod breue cum predictus abbas respondere debuisset protulit in medium quamdam finalem concordiam de eisdem tenementis in breui meo contentis et multo pluribus in Tulachany inter predecessores eiusdem abbatis et dominum Alanum de Valle auum meum legitime confectam, quam cum diligenter inspexissem et contractassem cum consilio meo sentiens me nichil iuris uel clamii posse habere breue meum retraxi, ius eiusdem abbatis et successorum suorum in perpetuum recognoscendo, dicens quod amplius ius meum uendicare nec prosequi uellem quantum ad illa que in breui meo fuerunt contenta nec in aliqua portiuncula terre uel tenementi quantumcumque parua nec ad passum unius pedis in eodem tenemento de Tulachany in perpetuum, unde eidem abbati et conuentui et eorum successoribus literas meas quiete clamancie feci in hec uerba:

Uniuersis ad quos litere presentes peruenerint Johannes de Valle filius et heres Stephani de Valle salutem in domino.

Noueritis me de me et heredibus meis et assignatis remisisse et in perpetuum quietum clamasse religiosis uiris Fratri Henrico abbati de Sancto Salvatore de Dowisky et eiusdem loci monachis tam presentibus quam futuris omne ius et clamium quod habui uel aliquo iure habere potui in uno mesuagio quinque carucatis terre sexaginta acris bosci quadraginta acris more et sexdecim acris prati et in eorum pertinentiis in Tulachany:

Ita quod nec ego nec heredes mei uel aliquis alius nomine meo seu heredum meorum quicquam iuris uel clamium in dicto mesuagio, quinque carucatis terre, sexaginta acris bosci, quadraginta acris more, et sexdecim acris prati, cum eorum pertinentiis nec in aliqua parte terre seu tenementi predictae grangie de Tulachany nec etiam ad passum unius pedis seu minus, de cetero uendicare poterimus seu calumpniare.

Volo igitur et per presentes me obligo et heredes meos et assignatos quod si unquam predictum abbatem uel aliquem successorum suorum in quacunque curia implacitauerimus uexauerimus seu in aliquo grauauerimus, de aliquo tenemento uel terra in Tulachany, quod non teneantur mihi heredibus meis uel assignatis in aliqua curia respondere per aliquod breue uel ius quod in presenti usitatur uel in futuro poterit adinueniri, donec eidem abbati uel ei qui pro tempore fuerit de mille libris bonorum sterlingorum prius satisfacerimus et in pecunia numerata soluerimus.

In cuius rei testimonium presentibus sigillum meum apposui.

Datum in monasterio predicto de Dowysky dominica proxima post festum Annunciationis beate Virginis anno domini MCCC quinto et anno regni regis Edwardi xxx tercio.

The seal is still attached to this instrument.

For *John de Valle* see p. 113 and cf. p. 30. The land at *Tulachany* which was granted to the convent by William Marshal's Foundation Charter (no. 3) was very

precisely defined (see pp. 34, 164). The quit claim by *Alan de Valle*, which is referred to in the document before us, is not now extant. He is probably the person of that name who attested a grant of *Stephen de Valle* to St. Thomas' Abbey about 1258.¹ This *Stephen de Valle* the second is not to be confused with the earlier Stephen of Charter 3 (see p. 30).

Gilbert de Sutton attested Roger Bigod's charter to New Ross in 1279.² He was seneschal of Wexford in 1286–1289,³ and he was killed “by the Irish” in the year in which this instrument was executed, 1305.⁴

96.

Remission by the Dean and Chapter of St. Canice's, Kilkenny (Ossory), to the convent of Duiske, of an annual rent of 6 marks paid to the cathedral by the said convent for the grange of Tulachany, in the event of the convent being evicted from the church of Offerlane, which they hold by grant of the Bishop and Chapter [no. 94].

Dated at Kilkenny, 1 May, 1305.

Uniuersis ad quos litere presentes peruenerint decanus et capitulum ecclesie Sancti Cannici Kylkenniensis salutem in domino.

Cum religiosi uiri abbas et conuentus de Dowysky nobis, ob certas causas utilitatem monasterii sui contingentes, concesserint annuatim pensionem sex marcarum in grangia sua de Tulachany annuatim reddendam ad festum beati Michaelis et ad festum Paschalis per equales portiones de terris et tenementis suis ibidem :

Nos indempnitati eorumdem abbatis et conuentus prospicere uolentes et diuersa dampna et pericula que eis per casum euenire poterunt in futurum considerantes, concedimus eisdem abbati et conuentui et eorum successoribus quod si ecclesia de Offarkelan quam tenent in proprios usus ex concessione episcopi nostri et nostra ab eis quoque modo euincatur per iudicium curie domini regis uel alterius cuiuscumque curie, uel quod ui potestatis seu cumulo malitie cuiuscumque alterius ingenii expellantur, ita quod ecclesiam illam in proprios usus tenere non possint, sicut eis concessum est ut predicatur, tunc cesset predicta pensio sex marcarum nobis uel successoribus nostris reddenda : et inde sint omnino quieti ipsi et successores sui.

In cuius rei testimonium presentibus sigillum commune capituli nostri apponi fecimus.

Datum Kylkenny in festo apostolorum Philippi et Jacobi anno domini MCCC quinto.

At the period which we have reached, we have a record showing that Jerpoint and Duiske (although both were poorer than they had been) were the two richest religious houses in the diocese of Ossory (to which Duiske was

¹ R.T.A. 191. ² *Chartae*, &c., p. 85. ³ C.D.I. iii, pp. 119, 214. ⁴ C.M.A. ii, 291.

reckoned to belong).¹ The *Red Book of Ossory* (an ancient register compiled for the most part in the fourteenth century) contains an account of the ecclesiastical taxations of the diocese about the years 1306 and 1318, in which the assessment of Jerpoint is set down at £4 16s. 8*d.*, and that of Duiske at £4 7s. 6*d.*

97.

Petition by the convent of Duiske, now reduced by hostile incursions, for the alms of the faithful; and an Ordinance by the General Chapter that masses and other devotions be said in all the 5650 houses of the Cistercian Order for the souls of benefactors, especially of those who have contributed moneys for the fabric of the abbey church.

Dated at Cîteaux, 28 Jan., 1306.

Uniuersis Christi fidelibus has literas uisuris uel audituris abbas et conventus monasterii beate Marie de Sancto Salvatore uidelicet de Dolbisky Cisterciensis ordinis Ossoriensis† diocesis salutem et gratiam Jesu Christi.

Quam grata et acceptabilia domino sunt opera misericordie ex ipsius superni remuneratoris sententia scire potestis, cum ipse deus in extremo iudicio opera misericordie exercentibus et precipue elemosinarum largitoribus sit dicturus “quod uni ex minimis meis fecistis mihi fecistis.”

Cum igitur monasterium gloriose Virginis Marie superdictum, in quo religionis cultus deo acceptus hactenus uigebat, hiis diebus ad lamentabilem dissolutionem per hostiles incursus inualescentes reducatur, conuen . . . uniuersorum fidelium largitione elemosinarum predicto monasterio sub

Nos uero omnium fidelium maximam salutem in uisceribus caritatis intime affectantes (qua)ndam ordinationem in capitulo generali apud Cistercium ad Christi laudem et animarum salutem factam, uobis deo teste sine omni fictione duximus referendam, dum idem ordo durauerit permansuram, uidelicet quod in quinque milibus sexcentis et quinquaginta domibus ordinis, exceptis domibus sub eisdem de nouo constitutis, quolibet die cantatur pro omnibus illis qui predictum ordinem sustentant et protegent, pro fratribus sororibus et benefactoribus eiusdem ordinis durante ordine quinquies mille sexcenties et quinquaginta misse.

Item totidem misse in honore Virginis gloriose pro uiuis et totidem pro defunctis preterea totidem misse celebrantur per annum die statuto per capitulum generale pro omnibus fratribus sororibus familiaribus et benefactoribus ordinis predicti.

Et preter hec de quolibet capellano eiusdem ordinis quolibet anno tres misse de Saucto† Spiritu et tres de Saucto† Cruce ad minus celebrantur; nichilominus statuitur quoddam debitum certum annuale, scilicet: de quolibet capellano ordinis predicti quolibet anno uiginti misse celebrantur pro defunctis monachis conuersis fratribus familiaribus sororibus et omnibus benefactoribus

¹ See p. 25.

ordinis predicti eo anno quo decesserint; et de quolibet clerico dicti ordinis decem psalteria.¹ Et de quolibet conuerso² totidem per “miserere mei deus,” uidelicet septies uiginti et decem “miserere” pro quolibet psalterio. Et sciendum est quod anime omnium fratrum familiariorum et benefactorum defunctorum ordinis eiusdem in omnibus capitulis dicti ordinis quolibet die ordine durante erunt absolute.

Item quolibet die stabilite sunt sexdecim mille nouies centum et triginta portiones elemosinarie capiende in refectorio ad alteram tabulam ad participandum pauperibus pro animabus predictorum et omnium fidelium defunctorum omnia bona prenominata in perpetuum perseueranda conceduntur omnibus benefactoribus ordinis predicti; et illis precipue qui de bonis a deo sibi collatis aliquid contulerint fabrice ecclesie monasterii beate et gloriose Virginis Marie eidem Sancto Salvatore predicto uidelicet de Dolbisky.

Ceteras uero missas et orationes priuatas predictis benefactoribus concessas nemo preter deum cui omnia nota sunt potest numerare ipsi laus et gloria in secula seculorum Amen.

Nos uero abbas et conuentus supradicti omnium missarum orationum ieiuniorum uigiliarum et abstinenciarum ceterorumque bonorum, que in dicto monasterio per nos et successores nostros usque in diem iudicii domino concedente fieri poterunt, omnibus benefactoribus supradictis et eorum liberis et posteris plenam participationem tenore presentium concedimus, in uita pariter et in morte.

Dat: Cistercio quinto Kalendas Februarii anno domini millesimo ccc quinto.

This document is enriched with a fine coloured initial and splendidly executed.

The ordinance promising benefits to benefactors was necessarily an ordinance of the General Chapter, and so was dated at Citeaux. Each abbey, needing alms, would doubtless prefix its own petition.

The assertion in this instrument that there were at the date of its execution 5650 houses of the Cistercian Order is remarkable. It may have been so, but no record of so great a number has come down to us.³

We have no charters for the next half century, and all that we know of the fortunes of the abbey for this period is contained in a few incidental notices. The county of Carlow, like the rest of Ireland, was in a disturbed condition, and there was much lawlessness, with bloodshed.

In 1316 one Malachy M'Collatain killed Sir John de la Poer, a monk of Duiske,⁴ with Gilbert Wengan, a lay brother (*conuersus*) of the same house.

¹ For the repetition of psalms for the benefit of the departed, see Wordsworth, *Notes on Mediaeval Services*, p. 265.

² A “conuersus” was a lay brother of the house.

³ The most complete list is that of Dom L. Janauschek, “Notitia abbatiarum ordinis Cisterciensis per orbem uniuersum” (1640).

⁴ Extracts from the Duiske Registers (EFL).

It has been surmised that an effigy, still extant at Graiguenamanagh, represents this Sir John de la Poer, but there is no evidence on the point.¹

In 1330 (Dec. 31) one Richard O'Nolan was besieged in the belfry of the abbey, and was compelled to give his son as a hostage.² We know nothing further of the circumstances.

In 1331 we have an account of a massacre in the neighbourhood of the abbey, following a wedding. "Dominus Willelmus de Brimegham cum sua familia occupavit tenuit et mansit in sylva monachorum de Dowsky in estate; et ibidem dominus Eustathius le Poer die Mercurii in festo Gervasii et Prothasii desponsavit filiam Johannis de Brimegham, comitis de Lowht. Et sabbato proximo sequenti, interfecti sunt novem de Rupensibus [the Roches]; inter quos interfectus fuit David filius David filii Alexandri de Fermoy et alii cum eis XIX."³

In 1342 Reginald, abbot of Mellifont, and Henry, abbot of Duiske, appear as judges in a dispute between the abbeys of Dunbrody and St. Mary's, Dublin.⁴

We have a note in the *Extracts* (FL) of a Charter, dated 2 Jan. 1347, by which Milo Sweetman, clerk, granted eight shillings and sixpence yearly to the convent of Duiske, being rent from a messuage of his in Kilkenny. The grantor was, doubtless, Milo Sweetman, who was Treasurer of Ossory, and became Archbishop of Armagh in 1361.

The Black Death ravaged the county of Kilkenny in the year 1348, but we have no knowledge of its presence at our abbey, which can hardly have escaped without a visitation, although it was noticed that mountainous districts were not so subject to the plague as other places.

98.

Ratification by James Butler, earl of Ormonde, for the good of his soul, &c., of the grant by Henry Fitz Henry Roche, formerly lord of the Rower, to the convent of Duiske, of fishing rights from Polmounty to Thomastown [no. 80].

Dated at Gowran, 29 Sept., 1352.

Uniuersis Christi fidelibus presentes literas uisuris uel audituris Jacobus filius Jacobi le Botiller Pincerna Hibernie et Comes Ormonie salutem in domino.

¹ See Mr. P. O'Leary's paper on "the Cistercian Abbey of Graignamanagh" (*Journal R.S.A.I.*, 1892, p. 242 n.); and for a description of the effigy see the same *Journal*, vol. ii (1853), p. 64.

² Clyn's *Annals*.

³ *Ibid.*

⁴ C.M.A. ii, 20.

Nouerit uniuersitas uestra quod cum Henricus filius Henrici de Rupe quondam dominus de Rowyr, pro salute anime sue et Oliue uxoris sue necnon pro animabus patris et matris sue ac omnium parentum predecessorum et successorum suorum, deo et beate Marie ac abbacie de Dowisky et monachis ibidem deo seruientibus in flumine de Barewe quicquid ibidem habuit libertatis ad piscandum a loco qui uocatur Polmuntath usque ad locum qui uocatur Portegrenan pro se et heredibus suis integraliter dedit et incantauit :

Nos uero pro salute anime nostre antecessorum et successorum nostrorum predictam donationem prefate piscarie in locis pronomiatis absque ulla contradictione seu diminutione nostra uel heredum nostrorum deo et beate Marie et abbacie predictae ac monachis ibidem deo seruientibus tenore presentium approbamus ratificamus et in perpetuum confirmamus.

In cuius rei testimonium presentibus sigillum nostrum apponi fecimus.

Datum apud Balygauran in festo Sancti Michaelis Archangeli anno domini MCCC quinquagesimo secundo.

There is a note of this Ratification in the Extracts from the Duiske Charters (EFL).

James Butler, second earl of Ormonde, who was Viceroy of Ireland in 1359, died in 1382.

The position of the places mentioned in the charter is given under no. 80.

We have next a record of the year 1356, which indicates clearly the attitude of the monastery to English law.

“This year, the abbot, David Cornwalshe, for the fine of £40, obtained the King’s pardon for divers offences ;

To wit, when many of the King’s enemies (Melaghin son of Ph. M’Owen, O’Bryan, &c.), who at sundry times did, with ensigns displayed, invade his Majesty’s territories in the respective counties of Dublin, Kildare, Carlow, and Wexford, and at all such times did rob, prey, or burn the same, and did also inhumanly murder Edmund Trahern, sheriff of Carlow, and many others of his Majesty’s good and faithful subjects, he, the said abbot, did receive the said felons at Duiske, where he entertained them with bread, drink, fish, clothes, etc. ;

And did also receive and harbour at Duiske aforesaid, Richard Browne, David, son of Henry Duff, &c., whom he knew had been guilty of divers robberies and felonies ;

Also that William Porter, monk, Robert Hechyn, Henry Roth, John Eylward, John Brown, and Richard Godman, monks, did in the year 1356, at Duiske, stop William Archer, abbot of Duiske, and did rob him of two horses, value sixty shillings, one cloak, value ten shillings, one seal, value twenty shillings, and sundry other goods and chattels to the amount and value of a further

sum of twenty shillings; and knowing that the said monks had committed the said robberies and felonies, he, the abbot aforesaid, had nevertheless received and entertained them at Duiske."¹

David Cornwalshe, mentioned in this record, as abbot of Duiske, appears again in 1363 and 1390 as abbot of the sister house of Dunbrody, in which capacity similar charges were made against him. He was evidently a lawless person, and impatient of all restraint.² William Archer was apparently his predecessor as abbot of Duiske.

The sequel of the affair is recorded in the Calendar of Patent-Rolls:

1357, Dec. 13. Westminster, "Whereas the abbey of Duysky in Ireland is situated on the frontier of the King's Irish enemies, and his said enemies pursuing his lieges in his peace there are oftentimes received in the abbey and are nourished therefrom, although against the will of the abbot, and whereas the abbot was indicted before John de Boulton,³ late justice in that land, of the receiving of the King's enemies and of the bringing of victuals to them for their refreshment, for pardon whereof he made fine before the said John by £40; and by various adversities coming upon him and the abbey he is now so depressed that he cannot pay the fine without the ruin of his estate, the King out of compassion has pardoned the fine, and acquits him thereof, and by these presents makes restitution to him of all his goods fallen into the King's hand on account of the promises."

A *précis* of this memorandum is in the Extracts from the Duiske Registers (E).

It is a memorandum of incidents thoroughly characteristic of Ireland under English rule. Duiske was founded by an Englishman. He planted English monks there. They became "Hibernis Hiberniores." They harboured the king's enemies. They were fined. They pleaded poverty. And they escaped scot free. The fourteenth century was not unlike the twentieth.

It was doubtless because of the growing disaffection to English rule which was displaying itself in the monasteries as elsewhere that a clause was inserted in the Statute of Kilkenny, enacted in 1367, to the effect that no Irish monks should be admitted into the religious houses in the English parts of Ireland. A similar ordinance had been enacted in 1310, but it was repealed after a few months, being re-introduced in 1367. It does not seem to have been acted on even then, for in 1380 a writ was despatched to twenty-one religious houses, ordering compliance with it.

¹ The above is the translation (with a few corrections) made by Archdall in his *Monasticon Hibernicum* of a Latin record in Archbishop King's *Collectanea* (Harris MSS., vol. xiii, in the National Library, Dublin), p. 361.

² Hore's *Dunbrody Abbey*, pp. 101-105, and C.M.A. ii, xc and xciii.

³ John de Boulton was Treasurer of Ireland.

99.

Abandonment by Philip, abbot of Jerpoint, on behalf of his house, in favour of the convent of Duiske, of all claims upon the abbey of Killenny and the grange of Annamult; the convent of Jerpoint binding themselves in:

£20,000 in silver to the convent of Duiske; £10,000 sterling to the abbot of Citeaux; £1000 in florins to the Cistercian Order; £100 in florins to each of the four principal abbots of the daughter houses of Citeaux; £1000 in florins to the Pope for the defence of the Holy Land; £5000 sterling to the Earl of Gloucester; and £1000 in silver to the Earl of Ormonde.

18 March, 1362.

Uniuersis Sancte Matris ecclesie filiis ad quos presentes litere peruenerint Frater Philippus dictus abbas de Jeriponte et eiusdem loci conuentus Cisterciensis ordinis Ossoriensis diocesis salutem in domino sempiternam.

Nouerit uniuersitas uestra nos de unanimi consensu et assensu nostro remisisse relaxasse et omnino pro nobis et successoribus nostris in perpetuum quietum clamasse fratribus nostris abbati et conuentui domus seu monasterii Sancte Saluatoris de Dowisky eiusdem ordinis dicte Ossoriensis diocesis et eorum successoribus totum ius nostrum et clameum que habemus habuimus aut quouismodo obtinere potuimus seu poterimus monasterio Vallis Dei quod uulgo Killenny appellatur Leghlinensis diocesis cum omni iure suo ac grangia que uocatur Athnemolt Ossoriensis diocesis terris tenenda pratis pascuis pasturis aquis redditibus seruiciis ac pertinentiis suis quibuscumque ad predictum monasterium Vallis Dei et Athnemolt qualitercumque ab antiquo spectantur ab origine mundi usque diem confectionis presencium:

Ita quod nec nos nec successores nostri nec aliquis alius uice aut auctoritate nostra in prenominato monasterio Vallis Dei cum omni iure suo ac grangia de Athenemolt terris tenenda pratis pascuis pasturis aquis redditibus seruiciis ac aliis pertinentiis suis quibuscumque ut promittitur aliquam actionem habere aut uendicare poterimus, sed ab omni iuris remedio inde simus exclusi per presentes, factis relaxationibus aut aliis quibuscumque remediis ex quibus nobis seu successoribus nostris, in predicto monasterio Vallis Dei quod uulgo Killenny appellatur ut promittitur cum omni iure suo aut grangia de Athnemolt terris tenenda pratis pascuis ac pertinentiis suis quibuscumque ut promissum est, actio oriri seu competere potuit aut poterit, prorsus renunciantes ac nullius fuisse uigoris aut firmitatis in hiis scriptis publice et expresse confitentes et declarantes:

Obligantes insuper nos successores nostros ac monasterium nostrum de Jeriponte predictum neenon omnia bona nostra per presentes antedictis abbati et conuentui Sancti Saluatoris de Dowisky eorumque successoribus, si

contra premissa quod absit aliquid attemperemus aut quouismodo in preiudicium molestiam seu grauamen predicti abbatis et conuentus eorumque successorum ex causis premissis attemptari faciamus, in uiginti milibus librarum argenti bone et legalis monete nomine puri debiti soluendis eisdem abbati et conuentui, infra mensem postquam predicti abbas et conuentus aut eorum successores per nos seu successores nostros uel aliquem alium uice nomine aut auctoritate nostris in premissis aut aliquo premissorum molestentur aut grauentur; necnon quascunque obligationes et facere quas ratione contentionis predicti monasterii de Killenny et grangie de Athnemolt cum omni iure ac pertinentiis suis primitus habite et orte dictis abbati et conuentui Sancti Saluatoris de Dowisky et eorum successoribus, uidelicet in decem milibus libris sterlingorum abbati Cistercii, in mille libris florinorum in subsidium operis Cistercii, cuilibet quatuor primorum abbatum in centum libris florinorum, Summo Pontifici in mille libris florinorum in subsidium Terre Sancte, Comiti Glouuernie heredibus at attornatis suis in quinque milibus libris sterlingorum, prout per literas nostras et predecessorum nostrorum eisdem abbati et conuentui et eorum successoribus inde confectas plenius patet:

ac easdem omnes et singulas tenore presentium renouantes confirmantes et ratificantes, relaxationibus remissionibus aut renunciationibus quibuscunque earumdem nobis et successoribus aut predecessoribus nostris inde per eosdem abbatem et conuentum aut eorum predecessores ante datum confectionis presentium factis non obstantibus, et nullius uigoris aut firmitatis uolumus easdem esse per presentes, priuilegiis constitutionibus aut quibuscunque remediis aliis in contrarium editis uel edendis in posterum non obstantibus.

Et ulterius obligamus nos successores nostros ac monasterium nostrum de Jeriponte supradictum Comiti Ormonie heredibus et assignatis suis in mille libris argenti soluendis eidem comiti heredibus et assignatis suis, infra mensem postquam aliquid in preiudicium aut grauamen predictorum abbatis et conuentus aut eorum successorum quoad predictum monasterium Vallis Dei cum omni iure suo uel grangia de Athnemolt per nos successores nostros aut quemcunque uice auctoritate uel conspiratione nostris moueatur seu moueri incipiatur.

In fidem et testimonium singulorum premissorum sigillum nostrum commune ex communi nostro consensu presentibus est appensum.

Datum in crastino Sancti Patricii anno domini millesimo tricentisimo sexagesimo primo.

Half the seal of abbot Philip remains attached to this document, of which there is a memorandum in FL. In 1361 the abbot of Jerpoint had obtained an exemplification of the charter granted to his house by Prince John;¹ and the convent now abandoned finally all claims upon Killenny. This is the end of a dispute that had lasted for nearly a century and a half.

¹ Carrigan iv, 287.

100.

Letters Patent of K. Edward III, confirming the Inspeximus by K. Henry III [no. 56] of the charter of William Marshal the younger to the convent of Duiske [no. 12].

Dated at Kilkenny, 28 Jan. 1372.

Edwardus Dei gratia Rex Anglie et Francie et Dominus Hibernie omnibus ad quos presentes litere peruenerint salutem.

Inspeximus quasdam litteras patentes sigillo Henrici quondam Regis Anglie progenitoris nostri consignatas in hec uerba :

“Henricus Dei gratia Rex Anglie Dominus Hibernie Dux [*as in no. 56 down to*] rationabiliter testatur.”

In cuius rei testimonium has litteras nostras fieri fecimus patentes.

Teste Willelmo de Wyndesore locum nostrum tenente in terra nostra Hibernie apud Kilkenni uicesimo octauo die Januarii anno regni nostri Anglie quadragesimo quinto regni uero nostri Francie tricesimo secundo.

Pro tresdecim solidis et quatuor denariis . . solutis in hanaper, per Iohannem de Batheby, cancellarium Hibernie . . tholewell . .

William of Windsor, through whom these Letters Patent were issued, was Viceroy of Ireland.

The fee paid at the Hanaper Office for this instrument was 13s. 4d.

A note of it is preserved in E.

We have now only incidental notices of the abbey during the next seventy years.

In 1400 we have record of a Papal Mandate to the abbot of Duiske to collate and assign to John Smyth, rector of Kilmedy, in the diocese of Ossory, the prebend of Blackrath;¹ but the abbot is not named.

In 1415 John Dound, doctor of laws, was abbot; he appears as answering, as proctor, for the loyalty of Arthur MacMurrough, who sought a safe conduct for his son, Gerald Kavanagh, going to England to the King's presence.²

We find in the Extracts from the Duiske Registers (E) an abstract of an instrument of the year 1424, which is of considerable interest as indicating the growing friendliness of the Irish chieftains to the abbey of Duiske, which had originally been an English foundation. It is as follows:

“Henricus filius Henrici filii Galfridi O’Ryan sue nationis capitaneus omnibus ad quos presentes litere peruenerint salutem.

“Inspeximus quandam chartam quam Dermitius O’Ryan dux de Odrona

¹ *Cal. of Papal Letters*, 6 Kal. Aug., 1400.

² *Cal. of Patent Rolls*, 1415, July 24.

per licentiam et assensum et consensum Dermitii nutu dei regis Laginensium fecit, etc. Felici abbati et omni eiusdem loci conuentui de ordine monachorum Cistercensium in Hybernia in puram et perpetuam elemosinam (ut supra).

“Henricus hec omnia confirmat.

“Datum apud monasterium S. Saluatoris Dubusque Ossoren: dioces: die . . . ris . . post festum S. Barnabe apostoli sc. 15 die mensis Junii anno 1424.

“Testibus, Johanne abbate de Dubusque, etc.; Thoma filio Henrici O’Ryan; Philippo O’Bolgy. . .”

Henry Fitz Henry O’Ryan, who thus confirmed the charter of his ancestor to Killeenny,¹ was the chief of the O’Ryan sept; his son *Thomas* is a witness to his *Inspeximus* and Confirmation. It was obviously in the interests of the abbey of Duiske to obtain the approval of the O’Ryans to this ancient grant, in order that their rights over the Killeenny lands, which were in O’Ryan territory, should not be challenged.

Presumably, John, the abbot, who attests the *Inspeximus* is “John Dound” who appeared in 1415.

In 1437 we have the abbot of Duiske mentioned on several occasions as a papal mandatory.² In 1440 there is a note in both F and L that Henry Weyng, formerly abbot of Duiske, died.

101.

Lease for five years by Philip, abbot of Duiske, and his convent, to Thomas White, son of John White the younger, bailiff of the Earl of Ormonde of Dunfert, of 20 acres in Annamult, from Feusdyche to Merdyche, between the abbey lands and the lands of Dunfert, and from Adameslaede to Kylmochone, with half the profits of the mill and the river: the said Thomas to bear half the cost of repairing the mill and the whole cost of repairing the road thereto, and to pay twelve pence annually towards the repair of the monastery; the monastic tithes to be paid as heretofore.

Dated at Tulachany, 4 May, 1440.

Pateat uniuersis per presentes nos Philippum abbatem monasterii de Valle Sancti Saluatoris de Dowisky Cisterciensis ordinis Ossoriensis diocesis dedisse et concessisse Thome filio Johannis yonger† White balliuo Comiti Ormond de Dunfert ad terminum quinque annorum uiginti acras terre arrabilis† in Agnhemolte, situatas in longitudine a ffeusdyche eiusdem uille usque ad

¹ Charter i, p. 5, *supra*.

² See *Cal. of Papal Letters* s. a. 1437, 1444.

Merdyche inter terras eiusdem abbatis et terras de Dunfert, et in latitudine ab Adameslaede usque ad Kylmochone; una cum medietate omnium prouentuum et profutuum et emolumentorum molendini et aque eiusdem domini pro suo laudabili seruitio.

Et predictus Thomas concessit super se medietatem reparationis predicti molendini suis sumptibus et expensis, ac reparationem uie eundi ac exeundi ad predictum molendinum, et quolibet anno durante termino predicto soluere xii denarios bone et legalis monete ad reparationem monasterii eiusdem Valle Sancti Saluatoris:

habendas et tenendas predictas xx acras terre arrabilis, et medietatem prouentuum et profutuum molendini et aque, ut predictum est, predicto Thome White libere et quiete ab omni actione seculari et spirituali, decimis exceptis soluendis monachis deo seruientibus in predicto monasterio termino incipiente ad festum Pasche anno domini millesimo cccc mo quadragesimo.

In cuius rei testimonium presentibus sigillum officii nostri apponi fecimus.

Datum apud Tyllaghanny in crastino Inuentionis Sancte Crucis anno supradicto.

The earl of Ormonde, named in this charter, was James Butler, 4th Earl. The castle of *Dunfert* (the modern Danesfort) in the barony of Shillelogher, co. Kilkenny, was built by his predecessor in the title; *Annamult* is in the old parish of Dunfert.

102.

Quit claim by Philip, abbot of Duiske, and his convent, to James Butler, earl of Ormonde, in respect of 41s. 8d. annually, out of 45s. which they receive from lands and holdings in Thagh Uiocheran or Thagh Meran, and Kilcolumb, in the barony of Knocktopher; also in respect of eight acres within the burgage of Newtown of Jerpoint.

10 Dec., 1440.

Uniuersis has literas uisuris uel audituris Philippus abbas monasterii beate Marie uirginis de Dowisky alias de Valle Sancti Saluatoris Cisterciensis ordinis et conuentus eiusdem monasterii salutem.

Cum nos et predecessores nostri habere consueuimus quadraginta et quinque solidos annualis redditus leuandos et percipiendos in et de omnibus mesuagiis terris et tenementis cum pertinentiis suis in Thagh Uiocheran alias Thagh Meran et in Kylcollum iacentibus in baronia de Croktogher per equales portiones ad terminos consuetos uidelicet Michaelis et Pasche:

Noueritis nos predictum abbatem et conuentum monasterii predicti de unanimi assensu et concensu nostro iam remisisse relaxasse et omnino pro nobis et de nobis et successoribus nostris inperpetuum quietem clamasse, domino Jacobo le Botiller Comiti Ormond libertatem predictorum mesuagiorum terrarum et tenementorum heredibus et assignatis suis totum ius

nostrum et iuris clameum, quod uel que habuimus uel habemus, in quadraginta uno solidis et octo denariis redditus de predictis quadraginta quinque solidis annualis redditus predicti.

Noueritis nos insuper predictum abbatum et conuentum de unanimi assensu et concensu nostro remisisse relaxasse et omnino pro nobis et successoribus nostris in perpetuum quietem clamasse, prefato Jacobo heredibus et assignatis suis, totum ius nostrum et iuris clameum quod uel que habuimus uel habemus in octo acris terre arrabilis,† cum pertinentiis suis iacentibus in diuersis parcellis infra burgagium Noue Ville de Jeriponte sicut sibi affig . . . per certas metas et bundas diuisis.

Ita uidelicet quod nec nos predictus abbas et conuentus, nec successores nostri, nec aliquis alius nomine nostro, aliquid ius seu iuris clameum aut actionem in predictis octo acris terre cum pertinentiis suis nec in predictis quadraginta uno solidis et octo denariis predicti annualis redditus, ut predictum est, uersus predictum Jacobum heredem et assignatos suos amodo exigere clamare nec uendicare poterimus inperpetuum; set ab omni actione iuris et remedii inde simus exclusi per predicta.

Et nos predicti abbas et conuentus et successores nostri predictas octo acras terre cum pertinentiis suis et predictos quadraginta unum solidos et octo denarios annualis redditus ut predictum est prefato Jacobo heredibus et assignatis suis, contra omnes gentes warantizabimus et acquitabimus et inperpetuum defendimus.

In cuius rei testimonium presentibus sigillum nostrum commune apposuius.

Datum decimo die Decembris anno regni regis Henrici sexti post conquestum Anglie decimo nono.

The seal remains in good condition.

“New Town near Jerpoint” was an important corporate town in the thirteenth and fourteenth centuries. Like “New Town on the Barrow” near the monastery of Duiske (see p. 93), it grew up round the abbey.

Perhaps *Kilcolumb* should be identified with Columbkille or Kilgriffen, an ancient parish, not far from Thomastown, co. Kilkenny.

It would appear that to abbot Philip succeeded one Dermot. In the Calendar of Papal Letters,¹ under the year 1447, we have a repetition or confirmation of a Papal Mandate to Dermot, abbot of Duiske, who about eight years before had deprived Patrick, abbot of St. Mary, Ferns, and given possession of that abbey to one Thomas. The confirmation was necessary because Dermot was not in peaceable possession of his abbey when he executed the mandate originally sent, but had “an adversary in the matter.” Probably after Philip’s death the succession was disputed.

In the same Calendar of Papal Letters,² under the year 1450, there is

¹ Vol. x, p. 306.

² Vol. x, p. 497.

another entry about the Abbey of Duiske. The abbey had recently sent a petition to the Pope, alleging that James, earl of Ormonde, Edmund and Robert, his brothers, and Donatus MacMurchu, Donnell O’Ryan, Thady Magillapadraich, and Donnell Kavanagh,¹ with others, had oppressed the monastery and demanded dues and various subsidies, by reason of which all the monastic buildings were threatened with ruin. The bishops of Ossory and Leighlin, with the abbot of Leix, as papal mandatories are directed to make inquiry and, if the charges are substantiated, to cause the aggressors to desist. As the Ormondes and the Irish chieftains are alike included among those from whom the abbey sought redress, this is probably only an instance of the disputes as to dues, which were common everywhere, between the monastic houses and the owners of land.

103.

Public instrument addressed to the Bishops of Ossory and Leighlin, their Vicars-General, the Deans and Chapters, and other ecclesiastical dignitaries of those two dioceses, by Dermot O’Curryn, archdeacon of Leighlin: quoting his commission as delegate from Pope Pius II to conduct the process between the Abbey of Duiske and the Dean and Chapter of Ossory, dated Mantua, vii Id. October, 1459; and also the bill of the abbot of Duiske, requesting him to proceed against the Dean and Chapter of Ossory who have exacted 14 marks from the grange of Tulachany belonging to the abbey:

Stating that he, the archdeacon, having duly summoned the Dean and Chapter of Ossory, and they having contumaciously absented themselves, has passed sentence on them condemning them to restore to the monks the sum of 14 marks, and to pay 6 marks costs, which sentence was pronounced in the church of Ullard, Leighlin diocese, 14th Oct., 1460, there being present Dermicius Onedy and Malachias Ochogly, public notary; Thacius and Patrick M’Duball: wherefore he peremptorily orders the bishops of Ossory and Leighlin and the others above mentioned, within 12 days, to restrain by ecclesiastical censure all rebels against his sentence, warning Edmund, son of Richard Butler, and the Chapter to desist from hindering the abbot and convent or their proctors in their peaceful possession of the said sum, anyone of whatever rank, except the bishops, not fulfilling, or acting contrary to, his sentence after twelve days to be put under an interdict, and if he persist another 12 days to be suspended *a divinis*, and for yet

¹ This was, no doubt, Donnell Reagh Kavanagh of charter 104.

another twelve to be excommunicated: in case the foresaid ecclesiastics owing to their own daily business are unable to carry out his mandate, he commissions the abbots, priors, parochial clergy, and public notaries, etc., of the two dioceses to execute it; either of the bishops failing to acquiesce in the mandate to be forbidden entrance to their church.

Dated in the prebendal church of Ullard, 14 October, 1460.

Testified by Malachias Ochogly, Canon of Leighlin, public notary.

Reverendis in Christo patribus ac dominis dominis permissione diuina¹ eorumque in spiritualibus et temporalibus uicariis decanis et capitulis singulisque canonicis ecclesiarum Ossoriensis et Leglinensis, ac aliis uniuersis et singulis personis dignitates personatus administrationes officia et beneficia obtinentibus in eisdem, necnon omnibus quorum interest uel intererit, quosque infrascriptum tangit negocium seu tangere poterit, quomodolibet in futurum quibuscumque nominibus significantur, Dermicius Ocurrin archidiaconus ecclesie Leglinensis delegatus cum illa clausula que in infrascripto rescripto continetur auctoritate sedis apostolice deputatus salutem in domino sempiternam.

Et mandatis nostris ymo uerius apostolicis firmiter obedire uolentes litteras sanctissimi in Christo patris domini nostri Pii diuina prouidentia pape II, cum cordula canopis eius uero bulla plumbea more Romane curie independentes bullatas sanas integras non uiciatas non cancellatas nec abrassas uel abolitas nec in aliqua sui parte suspectas, sed omni prossus† uicio et suspectatione ut ex earum inspectione prima facie apparebat carentes, nobis per discretos uiros abbatem et conuentum monasterii Beate Marie de Dowygly† Cisterciensis ordinis Ossoriensis diocesis coram notario publico et testibus infrascriptis aliisque personis attestatis more debito pensatis, cum ea que decuit reuerentia sub huiusmodi tenore noueritis recepisse:

“Pius episcopus seruus seruorum dei dilectis filiis decano et archidiacono ac cancellario ecclesie Leglinensis salutem et apostolicam benedictionem. Conquesti sunt nobis abbas et conuentus monasterii Beate Marie de Dowygly† Cisterciensis ordinis Ossoriensis diocesis quod Decanus et Capitulum ecclesie Ossoriensis quandam summam pecuniarum ab eis exigere indebite nituntur annuatim. Ideoque discretioni uestre per apostolica scripta mandamus, quatinus, uocatis qui fuerint euocandi et auditis, hinc inde propositis quod iustum fuerit appositione remota usuriis cessantibus, decernatis, facientes quod decreueritis per censuram ecclesiasticam firmiter obseruari. Testes autem, qui fuerint nominati, si se gratia odio uel timore subtraxerint, censura similiter appositione cessante compellatis testimonium ueritati perhibere, quod si non omnes hiis exequendis poteritis interesse duo aut unus uestrum ea nichilominus exequantur. Datum Mantue anno Incarnationis dominice mcccci nono septimo Id. Octobris, pontificatus nostri anno secundo.”

¹ *Sic*, but evidently the words “episcopis Ossoriensi et Leglinensi” have been omitted.

Post quarum litterarum apostolicarum presentationem receptionem per nos ut premittitur factas, fuimus per antedictos abbatem et conuentum cum instantia debita requisiti, quatenus ad executionem dictarum litterarum apostolicarum et contentorum in eisdem procedere dignaremur, ac suam petitionem siue libellum in scriptis coram nobis in iudicio sub forma et tenore qui sequuntur proposuerunt:

“In dei nomine amen. Nos abbas Beate Marie de Dowygly Cisterciensis ordinis Ossoriensis diocesis, coram uobis archidiacono ecclesie Leglinensis iudice siue executore a sede apostolica in quadam causa peccuniarum mota siue mouenda inter nos abbatem et conuentum dicti monasterii et decanum et capitulum ecclesie chahedralist† de Kylquinie specialiter deputato, constitutus nomine nostro et nostri conuentus contra et aduersus dictos decanum et capitulum in iure propono, quod dicti decanus et capitulum summam xiiii marcarum in argento a grangea nostra de Tulachany diocesis Ossoriensis indebite exigerunt et adhuc detinent.

Qua propter uestrum officium, cum ea que decuit reuerentia, auctoritate apostolica uobis in hac parte commissa, requirimus pariter et imploramus quatinus, dictis decano et capitulo ad uestram presentiam uocatis et probatis in ea causa probandis, ipsos decanum et capitulum ad tantam summam supradictam peccuniarum argenti restituendam nobis integraliter sententialiter et diffinitive auctoritate prefata cum omnibus debitis expensis condempnetis, ac silentium perpetuum eisdem decano et capitulo ne de cetero in futurum dictam summam pecunie exigent uel aliquis eorum exiget imponatis, quod sic decreueritis per censuram ecclesiasticam firmiter obseruare faciatis.”

Nos igitur iudex siue executor prefatus mandatum apostolicum exequi ut tenemur prefatos decanum et capitulum ad certos diem et locum per apparitores nostros, speciale mandatum a nobis super hoc habentes, citari fecimus, de qua quidem citatione fides nobis in iudicio facta fuit ac pro nostra iurisdictione in hac cognoscibili decreuimus: ipsi uero decanus et capitulum ad nostram presentiam uenire contempserunt et contumaciter se absentarunt. Ideoque nos antedictus iudex siue executor ad requisitionem dictorum abbatis et conuentus ad diffinitiuam sententiam in hac causa proferendam sub hac forma processimus:

“In dei nomine amen. Nos uero Dermicius Ocurrin archidiaconus ecclesie Leglinensis iudex siue executor a sede apostolica cum illa clausula “quod si non omnes et cetera,” in quadam causa summe pecunie siue pensionis xiii marcarum mota siue mouenda inter abbatem et conuentum monasterii beate Marie de Dowygly† Cisterciensis ordinis Ossoriensis diocesis et decanum et capitulum ecclesie chahedralist† de Kylquinie, quam quidem summam pecunie hiidem decanus et capitulum a grangia de Tulachany ad proprietatem abbatis et conuentus predictorum pertinent† indebite et contra iuris formam et indenture, prout in ipsa dentura plenius continetur, exigerunt et in futurum exigere presumunt, specialiter deputatus: Ideoque nos antedictus iudex siue executor, dictis partibus iudicialiter preconisatis et prefatis abbate et conuentu personaliter coram nobis comparentibus ac antedictis decano et capitulo con-

tumaciter absentantibus, decretoque contumacie contra ipsos multipliciter per nos prolato, prout in actis continetur, ac cognitis et intellectis meritis et circumstanciis ipsius cause, deum et iusticiam pre oculis habentes uestigiis canonum inherentes dictos decanum et capitulum ad restitutionem predictę summe xiiii^{or} marcarum sententialiter et diffinitive auctoritate apostolica nobis in hac parte directa condemnamus ipsosque abbatem et conuentum ob contumaciam partis aduerse et quod ad eosdem abbatem et conuentum proprietas eiusdem summe pertinet in possessionem ipsius summe siue pencionis prout in iure continetur mittimus et imponimus, ac eosdem decanum et capitulum nomine expensarum ad summam sex marcarum condemnamus.”

Hęc sententia lata est et lecta in ecclesia prebendali de Ilard Leglinensis diocesis xxiiii^{to} die mensis Octobris anno domini MCCCCLX hiis ibidem testibus presentibus, uiz.:—domino Dermicio Onedy et Malachia Ochogly publico notario et Thaceo et Patricio M'Duball, et aliis quam pluribus clericis et laycis. In quorum omnium et singulorum fidem et testimonium sigillum nostrum presentibus apponi fecimus. Que omnia et singula et dictas litteras appostolicas et hunc nostrum processum omnia et singula in eis contenta uobis et singulis supradictis insinuamus notificamus et intimamus et a uestram et uestram cuilibet noticiam deducimus et deduci uolumus per presentes.

Quo circa uos dominos episcopos Ossoriensem et Leglinensem uestrosque in spiritualibus et temporalibus uicarium uel uicarios decanos capitula singulosque canonicos ac omnes et singulos supradictos ecclesiarum Ossoriensis et Leglinensis quibus hic presens noster processus dirigitur coniunctim uel diuisim auctoritate apostolica nobis in hac parte commissa primo secundo et tercio peremptorie requirimus et monemus et nichilominus uobis et cuilibet uestrum in uirtute sanctę obediencie et sub infrascriptis sententiarum penis districte precipiendo mandamus, quatenus infra duodecim dierum spacium post presentationem siue notificationem presentis nostri processus uobis seu alteri uestrum factum immediate sequentem, quorum duodecim dierum quatuor pro primo, quatuor pro secundo et reliquos quatuor dies uniuersis et singulis pro tercio et peremptorio ac monitione canonica premissa assignamus, omnes et singulos contradictores et rebelles si qui fuerint in hac causa per censuram ecclesiasticam compescatis siue compellatis ne dictos abbatem et conuentum uel eorum procuratorem seu procuratores perturbant inquietant molestant quominus dicti abbas et conuentus in possessione dictę summe siue pencionis quiete et libere existerint.

Monemus insuper modo et forma supradictis Edmundum filium Riscardi Butiler ac decanum et capitulum supradictos et uos omnes et singulos pre-nominatos, ne dictos abbatem et conuentum uel eorum procuratorem seu procuratores quouis colore quesito aliquomodo impediunt uel aliquis eorum impediat, quominus dicti abbas et conuentus uel eorum procuratores siue procuratorem in possessione dictę summe siue pensionis in pace existerint et ea pacifice gaudeant, cum effectu. Quod si omnia forte et singula per uos ut supra mandantur non adimpleueritis aut non adimpleuerunt, aut aliquod

in contrarium feceritis aut fecerint seu fecerit, aut premissis omnibus et singulis non parueritis aut non paruerint cum effectum, nos in uos omnes et singulos qui culpabiles seu culpabilis fueritis seu fuerint uel fuerit in premissis, cuiuscunque sitis sint uel sit preeminencie dignitatis status gradus ordinis uel conditionis, pontificali dignitate semper saluo, prefatis xii dierum canonica monitione premissa auctoritate apostolica qua supra singulariter in singulos ex nunc prout ex tunc et ex tunc prout ex nunc in hiis scriptis excommunicationis in diocesibus Ossoriensis et Leglinensis et interdicti sententias ferimus. Si uero huiusmodi interdictum per alios xii dies immediate sequentes sustinueritis dicta canonica monitione premissa uos a diuinis suspendimus. Verum si prefatas suspencionis et interdicti sententias per alios duodecim dies immediate sequentes animo indurato quod absit sustinueritis, ex nunc prout ex tunc prout ex nunc simili canonica monitione premissa in hiis scriptis uos sententia excommunicationis innodamus.

Ceterum cum ad executionem huiusmodi mandati apostolici atque nostri ulterius faciendam forte uos cotidie non adesse personaliter negociis uestris undique prepediti, uniuersis et singulis dominis abbatibus prioribus prepositis archidiaconis scolasticis cantoribus custodibus thesaurariis canonicis tam chahedralium† quam collegiatarum parochialiumque ecclesiarum rectoribus curatis uicariis notariis seu tabellionibus et clericis quibuscunque per Ossoriensem et Leglinensem dioceses ubilibet constitutis et eorum cuilibet in solidum super ulteriori executione dicti mandati apostolici atque nostri ulterius facienda tenore presentium committimus uices nostras executionis realis, donec ad nos duximus reuocandas; duos etiam et eorum quemlibet coniunctim uel diuisim primo secundo et tercio peremptorie requirimus et monemus, ipsisque et eorum cuilibet in uirtute sancte obediencie et sub dictis excommunicationis penis quas canonica monitione premissa in eis et eorum quemlibet ferimus in hiis scriptis si ea que in hac parte committimus neglexerint seu contempserint contumaciter adimplere, districte precipiendo mandantes quatenus ipsi eorumque quilibet qui per partem dictorum abbatis et conuentus uel suorum procuratoris siue procuratorum fuerint uel fuerit legitime requisiti uel requisitus coniunctim uel diuisim, ita tamen quod in hiis alter alterum non exspectat nec unus pro alio se excuset, infra vi dierum spatium quos ipsis et eorum cuilibet super hoc pro omni dilatione et monitione canonica assignamus, et ad dictos dominos episcopos Ossoriensem et Leglinensem qui pro tempore fuerint ipsorumque in spiritualibus et temporalibus uicarios generales si opus fuerit necnon dictarum Ossoriensis et Leglinensis loca insignia et priuata et ad alias ecclesias seu personas de quibus expediens fuerit, pro premissis et infrascriptis fideliter presentandis et exequendis, personaliter accedunt seu attendant supradictas litteras apostolicas et hunc nostrum processum et quascunque scripturas ad huiusmodi executionem faciendam pertinentes ac omnia in eis contenta, uobis et cuilibet uestro aliisque quorum interest uel intererit coniunctim et diuisim semel et pluries ac tociens quociens fuerit opportunum legant insinuant intimant et notificent ac legi insinuari intimari sine dolo et fraude procurent; dictos-

que abbatem et conuentus uel procuratorem siue procuratores eorundem eorum nomine ut premittitur in eadem possessione dicte summe siue pensionis defendant, contradictores huiusmodi et rebelles executionis auctoritate nostra ymo uerius apostolica si quos reperietis per censuram ecclesiasticam, et generaliter omnia et singula uobis in hac parte commissa fideliter exequantur iuxta traditam a sede apostolica nobis formam et secundum presentis nostri processus continentiam et tenorem.

Ita tamen quod iidem nostri commissarii uel quicumque in preiudicium dictorum abbatis et conuentus uel iuris nichil ualeant nec in processibus per nos habitis atque latis sententias relaxando aliquid immutare, aut eiisdem abbati et conuentui nocere possent quomodolibet uel obesse, potestatem omnimodam denegamus, si continget uos in aliquo super premissis procedere de quo nobis plenariam potestatem reservamus, et non propterea uestram huiusmodi potestatem in aliquo reuocare, nisi de reuocatione ipsa specialem et expressam in nostris litteris fecerimus mentionem. Et si monitionibus nostris ymo uerius apostolicis uos reverendi patres episcopi non adquieveritis uel aliquis uestrum non adquieverit ingressum ecclesie primo in qui culpabilis fuerit auctoritate apostolica interdiximus. Scituri quod crescente contraria crescere debet et pena ad alias penas iuris contra uos uel aliquem uestrum qui culpabiles fuerit uel fueritis procedemus. Prefatas quoque litteras apostolicas et hunc nostrum processum et omnia et singula presens negocium tangentia uolumus penes dictos abbatem et conuentum uel eorum procuratores remanere, et non per uos uel aliquem uestrum qui culpabilis fuerit uel fueritis contra ipsorum abbatis et conuentus siue suorum procuratoris uoluntatem quomodolibet detineri: contrarium uero facientes prefatis nostris sentenciis per nos habitis et latis eo modo quo late sunt uolumus subiacere, absolutionem uero omnium et singulorum premissorum qui prefatas nostras sentencias uel earum aliquam incurrerint nobis tantummodo reseruamus. In quorum omnium et singulorum fidem et testimonium prefatas litteras nostras seu hoc presens publicum instrumentum huiusmodi nostrum processum continentes in se seu continens per notarium infrascriptum subscribi et publicari mandauimus. Data et acta in ecclesia prebendali de Ilard Leglinensis diocesis xiiii^{to} die mensis Octobris anno domini MCCCCLX indictione viii, pontificatus Sanctissimi in Christo ac domini nostri domini Pii divina providentia pape II anno iii, presentibus ibidem discretis supradictis uiris ad premissa uocatis pariter et rogatis ad fidem plenariam in supradictis obseruandam per nos probabiliter assumptis. Insuper et sigillum nostrum proprium in fidem et testimonium premissorum apponi fecimus.

MALACHIAS

Et ego Malachias Ochogly canonicus ecclesie Leglinensis publicus notarius predictarum litterarum apostolicarum presentationi receptioni citationi sententiarum excommunicationis suspencionis et interdicti promulgationi omnibusque aliis et singulis in premissis processu contentis, dum sit ut premittitur per dictum delegatum agerentur et coram eo fierent, una cum prenomatis

testibus presens interfui eaque omnia sic fieri uidi audiui. Ideoque has litteras presentes siue hoc presens publicum instrumentum processum huiusmodi in se continentes siue continens de mandato dicti delegati exinde et in hanc publicam formam redegi signoque nomine meis solitis et consuetis signaui rogatus et requisitus in fidem et testimonium premissorum et singulorum.

A fragment of the seal of the archdeacon of Leighlin remains attached to this instrument. The device is the sacred monogram IHS. We owe the transcription to Miss E. Thompson.

The lands granted at Tulachany have been the subject of several previous charters (see especially 9, 10).

For the prebendal church of *Ullard* or *Ilard*, see p. 38.

The bishops of Ossory and Leighlin mentioned in this instrument were probably *David Hacket* and *Diarmait* respectively. The Dean of Ossory may have been *Thomas Archer*. Sir *Richard Butler* of Polestown was brother of the 4th earl of Ormonde. Of *Dermot O'Curryn*, archdeacon of Leighlin, and papal commissary, we know no more than is set out above.

104.

Grant for ever by Donnell Reagh Kavanagh MacMurrough, Lord of Leinster, for the good of his soul, &c., of eight pence annually from each plough in his territory, to the convent of Duiske.

Dated at Enniscorthy, 3 April, 1475.

Sciant presentes ac futuri ad quorum noticiam presentes mee littere uisu uel auditu peruenerint, me Donalldum Fuscum Keuanach MacMurchur dominum totius Lagenie concessisse ac dedisse, diuine caritatis intuitu ac sacrosancte religionis appetitu, in honore dei patris omnipotentis semperque Virginis Marie, abbati monasterii beate Marie de Valle Sancti Saluatoris de Duffusque, Cisterciensis ordinis Ossoriensis diocesis, ac monachis ibidem deo seruientibus, pro salute anime mee predecessorum meorum et successorum, de me ac heredibus meis in infinitum descendentibus, in puram et perpetuam elemosinam octo denarios quolibet anno bone et usualis monete anglice a quolibet caruca arrante in dominio meo ad duos anni terminos: uidelicet quatuor denarios in quolibet festo Sancti Michaelis archangeli et alios quatuor denarios in quolibet festo Pasche.

Heredes igitur meos, omnesque alios a me per lineam masculinam in dominio meo succedentes, ad predictos viii denarios ut predicatur persoluentes obligo; ac igitur predictis abbati et monachis, ut prescribitur, do et concedo per presentes.

Et ut hec donatio et concessio in perpetuum sint ualitura, has litteras meas siue presentem cartam sigilli mei maioris appositione corroborauit.

Hiis testibus presentibus, uidelicet Domino Diarmitio O'Bolgy, rectore de Carn Buada, Karolo ac Geraldo filiis antedicti Donaldi, Anlano O'Bolgy

medico (?), Donato filio Odonis U'bruin laico (?), Odone Offeraly, Cormaco O'bryun, Magomo O'brayn, Willelmo M'Alluairo, clericis Fernensis diocesis, et aliis quam pluribus.

Datum apud Iniscorthy tercio die mensis Aprilis anno domini MCCCCLXXV.

The Kavanagh territory included the hill country between co. Carlow and co. Wexford; and the larger part of the possessions of the abbey of Duiske were in this region on the Carlow side. Hitherto, the benefactors of the convent had been the Anglo-Norman settlers and their descendants; the convent had been established by Englishmen and for Englishmen. It was only by degrees that it gained the allegiance of the Irishry. We have seen the direction in which its sympathies were moving more than a century before the date of this charter;¹ but now we find that it is actually taken under the protection of the Kavanaghs and their Irish friends, who attest the grant.

*Donnell Reagh*² *Kavanagh* was a direct descendant of Donnell Kavanagh, son of Dermot MacMurrough, Strongbow's father-in-law (see p. 6), and styled himself "Lord of all Leinster." He had, as chief of his clan, great influence in the neighbourhood of Duiske or Graiguenamanagh; and his protection and patronage must have been of immense service to the abbey, quite irrespective of the value of his annual grant.³

This charter was printed in 1883 by Rev. James Graves,⁴ who gave therewith an illustration of Donnell Reagh Kavanagh's "greater seal," which is still attached. The legend round the seal is:

SIGILLVM DONALL MEICMVRACHADA REGIS LAGEIE.

This grant which was made "pro salute animae suae" was executed not long before the death of Donnell Reagh, which took place in 1476. He left several sons. *Gerald Kavanagh*, who attests the grant, became in his turn titular "lord of Leinster," and died in 1522.⁵ The other son here named, *Charles Kavanagh*, was afterwards the last abbot of Duiske (see p. 153).

The witnesses are all Irish, from the O'Byrne, O'Bolger, and O'Ferrally clans. *Dermot O'Bolger* (or O'Bolgy) was rector of *Carn Buada*, which is probably to be identified with Carnew, in co. Wicklow.

105.

Record of appeal in the Cathedral Church of St. Canice's by Henry, abbot of Duiske, as to the parish church of Offerlane, which had been transferred and granted by William, prior of Aghmacart, and Thomas Mishell, canon of Ossory, by authority of pretended papal letters, to Patrick Mac Gillpatrick:

¹ See p. 136.

² Reagh = *Riabach* = *fuscus*, or "swarthy."

³ There is a note of this charter in E (where it is dated incorrectly 1485), which gives the grant as "8 denarios quolibet anno." That would be very different from eight pence for each plough working on Kavanagh land, as the charter states.

⁴ *Journal R.S.A.I.* vi, pt. i, p. 24.

⁵ Dowling's *Annals*.

the record being drawn up for a fee by William Fyan, clerk of Cashel diocese, a notary, in the presence of John Archdekyn and other witnesses.

6 Feb., 1490.

In dei nomine Amen. Presentis instrumenti tenore cunctis euidenter appareat quod anno ab incarnatione domini secundum cursum et computationem ecclesiarum Anglicane et Ibernice millesimo quadragintessimo octuagessimo nono, indictione VII, pontificatus sanctissimi in Christo patris et domini nostri domini Innocentii diuina prouidencia Pape VIII anno VI die uero XII mensis Februarii, in ecclesia cathedrali Ossoriensi, in mei notarii ac testium infra scriptorum presencia constitutus, probus et religiosus uir Frater Henricus abbas monasterii beate Marie de Valle Sancti Saluatoris Cisterciensis ordinis Ossoriensis diocesis quandam appellationem in quadam papiri cedula conceptam suis manibus tenens animo et intentione appellandi perlegit misit et interposuit sub forma qua sequitur :

In dei nomine amen. Cum appellationis remedium ideo a iure sit inuentum, ut oppressis contra iusticiam iuris remedio succurratur, ac status appellancium et prouocantium integer conseruetur et illesus, hinc est quod licet nos Frater Henricus abbas monasterii beate Marie de Valle Sancti Saluatoris Cisterciensis ordinis Ossoriensis diocesis ac eiusdem monasterii conuentus fuerimus, ac in presenti simus uiri bone fame integri status et oppinionis illese, ac rectoriam parochialis ecclesie de Offarhillan ad ius et proprietatem dicti nostri monasterii spectantem per dies et annos pacifice possedissimus, et quiete de fructibus ipsius rectorie . . . ad utilitatem ipsius nostri monasterii pro nostre uoluntatis bene placito libere dispendissemus : nihilominus tamen honoribiles uiri, frater Willelmus prior monasterii de Aghmearth, ordinis Sancti Augustini dicte diocesis, ac magister Thomas Mishell canonicus ecclesie Ossoriensis ac officialis generalis curie Ossoriensis, indices, auctoritate quarundam literarum preten-sarum apostolicarum per quendam Patricium Macgillepadrig contra nos super firma dicte rectorie de Offarhillan sub forma . . . in euidentem impetratarum a sede apostolica ut asseritur, deputati coniunctim delegati ad importunam instantiam dicti Patricii . . . contra ius perperam et ex corrupto procedentes, spretis nostris defencionibus et exceptionibus, . . . diffinitiuam per quam inter alia ipsam rectoriam prefato Patricio sub certa . . . ad uitam eiusdem concesserunt, et hoc in euidentem inutilitatem dicti monasterii cedere decreuerunt sententiam promulgarunt iniquam :

Idcirca nos dicti abbas et conuentus censes, nos ac monasterium nostrum predictum ex dicta sententia fuisse et esse multipliciter aggrauatos ab ipsa sententia, si sententie nomen habere mereatur, ac omnibus et singulis que elici poterint seu colligi ex eadem, et ne prefati iudices, . . . eorum alter seu quisquam alius nomine aut mandato eorundem, ad executionem dicte sententie forsitan procedentes aliquid in nostrum uel monasterii nostri preiudicium imposterum attemptare presumant, hos aut nostrum aliquem citando monendo excommunicando suspendendo aut interponendo aut aggra-

nando brachium seculare contra nos inuocando, fructus dicte nostre rectorie quorumcunque benefactorum nostrorum sequestrando aut alias quomodolibet occupando, aut auferri et occupari faciendo, seu quidquam aliud in nostrum preiudicium attemptando, sacrosanctam sedem apostolicam ac sanctissimum in Christo patrem et dominum dominum Innocentium diuina prouidencia papam VIII sedem uero metropolitica[m] Dublinensem ac reuerendissimum patrem Walterum miseratione diuina Dublinensem archiepiscopum ibidem audientiam salua . . . omnium et singulorum premissorum in his scriptis prouocamus et appellamus et in nos quatenus decenter petendi sunt postulamus et petimus nobis dari fierique qui si nobis denegati fuerint aut loco minus tuto assignati aut pro his rebus . . . easdem sedes ut prius appellamus et appellationes modo quo supra petimus, subiicientes nos monasterium nostrum ac dictam rectoriam nostram de Offaruillan ac beneficia nostra quecumque et necnon omnes homines nobis in hac parte adhaerentes et in futurum adhaerere uolentes pro et tuitionem et defensionem protestantes nos uelle hanc nostram appellationem corrigere emendare eidem addere et ab eadem subtrahere et in meliorem et competentiorem formam reddigere omnibus et singulis quorum interest uel intererit iustificare et in . . . uelle et prosequi pro loco et tempore congruis beneficio in omnibus semper saluo.

Super cuius appellationes sisse prefatus Henricus abbas me notarium antedictum cum instantia rogauit quatenus pro salario competenti unum uel plura publica sibi conficere instrumentum seu instrumenta acta sunt hec supra presentibus protunc probis uiris dominis Petro Duy Johanne Archedekyn et me notario infra scripto et aliis testibus ad premissa rogatis.

Et ego Willelmus ffyan clericus Cassellensis diocesis imperiali auctoritate notarius prefate appellationi eiusdem pariter et interpon coram me et testibus supra scriptis sub anno indictione et loco prementio-

natis acta et gesta sic fieri uidi aut audiui. Ideoque hoc quidem instrumentum scripsi subscripsi et in hanc formam redeg[i] et nomine meis signaui rogatus et requisitus, in fidem et testimonium premissorum non dictionis utilitatem nec rasura indictione rectorie superius factis quas hic approbo ego notarius prenom[ina]tus.

We owe the transcript of this faded and worn instrument to Miss E. Thompson. For the form of the attesting clause, compare that appended to no. 103, above.

The church of *Offerlane* had been granted to the convent of Duiske by charter 94 (between 1303 and 1305).

At *Aghmacart* (in Queen's Co.) an Augustinian priory had been founded at the time of the Anglo-Norman invasion of Ireland: it was in the MacGillapatrik country, which may account for the decision granting Offerlane church to *Patrick*

MacGillapatrick against which the convent of Duiske appealed. The prior *William* was probably *William O'Brophy* who was appointed to that office in 1481.

Thomas Myshel, LL.B., is buried in St. Canice's Cathedral,¹ a canon of Ossory and also of Cashel.

The archbishop of Dublin who appears in this instrument was *Walter Fitzsimon* (1484–1511).

VI.—THE DISSOLUTION OF THE ABBEY.

We have no more charters of the abbey of Duiske, and for the remainder of its history we have to rely on the fragmentary extracts that remain from the Register (EFL) and on the State Papers.

In 1501 or 1502, Charles, or Caher, Kavanagh was elected abbot.² He was a great personage, and is thus described by Stanihurst: "Cagher, a nobleman borne, in his time called Mack Murrough, descended of that Mack Murrough that was sometime King of Leinster. He was a surpassing devine, and for hys learning and vertue was created bishop of Leighlin³ and abbot of Grage. He flourished in the year 1550, and was an hundred yeres old when he deceased."⁴ He was the son of Donnell Reagh Kavanagh, and has appeared before as attesting his father's benefaction to the abbey.⁵ His election as abbot shows how thoroughly Irish in its sympathies the abbey had become.

Abbot Kavanagh took a large part in diocesan affairs. In 1522 he appears as chancellor of Leighlin,⁶ a position which Dowling⁷ states that he held for eight years. During the episcopate of Bishop Thomas Halsey (1513–1521), an Englishman, who is not known to have ever visited Ireland, abbot Kavanagh acted as vicar-general of the diocese of Leighlin, and after the bishop's death he was appointed (in 1522) as one of the guardians of the spiritualities of the see.⁸ Halsey's successor as bishop of Leighlin was Maurice Doran, a pious Dominican, who was murdered, after he had held the see for a year and a half, by his archdeacon, Maurice Kavanagh. The story of this murder is thus told in a State Paper of 1525 purporting to set out the misdemeanours of Piers Butler, eighth Earl of Ormonde: "The late bishop of Leighlin was heinously murdered by the abbot of Duske's son, who was the

¹ O'Phelan's *Epitaphs in St. Canice's*, p. 76.

² Extracts from the Duiske Registers (EFL).

³ This is not accurate ; see below.

⁴ Holinshed, *Description of Ireland* (ed. 1577), p. 25 ; see p. 163.

⁵ See p. 150. This is confirmed by the pedigree in the possession of Mr. Walter Kavanagh, D.L., of Borris, co. Carlow.

⁶ Christ Church Deeds, 410.

⁷ Dowling's *Annals*, s. a. 1515.

⁸ This is, no doubt, the fact behind Stanihurst's erroneous statement that he was bishop of Leighlin. See Dowling, and Christ Church Deeds, 410.

earl of Ormonde's nigh kinsman, that the abbot might enjoy that bishopric. Three of the earl's servants were at the murder, but he has not yet punished them. Moreover, he succoured the said abbot in his country when the Deputy [the earl of Kildare] did persecute him, as the procurer of the same murder."¹

This is a shocking story, but Kildare hated Ormonde so heartily, that it may not be true in every particular. Abbot Kavanagh was, indeed, Ormonde's "nigh kinsman." He was his uncle, as the abbot's sister Sabh or Sabina had married Sir James Butler of Polestown, and their son was Piers Butler, eighth earl of Ormonde. And it is quite possible that Maurice Kavanagh, the arch-deacon, was the abbot's son,² born before the abbot entered the Cistercian order, and that he received some assistance at the abbey in his flight from justice. But the account of the matter in Dowling's *Annals* is that the murderer (who was crucified for his crime) was instigated by a desire to revenge himself on Bishop Doran, who had reproved him for some irregularity, and this may have been his real motive. That a man of such high repute as the abbot should have "procured" the murder, for the sake of the temporalities of the bishopric, is not probable.

In 1513, by Abbot Kavanagh's direction,³ one of his monks compiled the "Annals of Ireland," and incorporated them in the Registry of the convent, which was known as the "Annals of Duiske," or "the Auncient Book of Graigue." This Register is now lost, and is known only through the extracts from it which have survived, and which we have frequently cited (EFL).⁴

The abbot was a benefactor to the abbey church. In 1524 he presented it with a jewelled cross of silver, which was made for him; and in 1525 he procured "costly vestments for the monastery, viz., a cope, a chasuble, and two tunics."⁵

But the abbey was soon to be dissolved, and its possessions dissipated. In 1533 the Chief Baron of the Exchequer, Patrick Finglas, made a report on the state of the county of Wexford, and among his recommendations was the following:—

"Item, to levyate the Kyngys charges to this Reformacon of Leinster ther

¹ Calendar of Carew MSS., p. 33 s. a. 1525.

² According to the Kavanagh pedigree, the abbot had three sons, one of whom was called "Murrough."

³ See the heading of the Extracts from the Register (E): "Ex registro chartarum monasterii B. Mariae de Duusque et de Valle S. Salvatoris Cisterciensis ordinis Ossoriens: jussu Karuli Kamanach abbatis et conuentus descripto 1518."

⁴ A pamphlet entitled *Annals of Graig Abbey*, by W. O'Leary (1889), is not intended to be taken as history. It is a picturesque combination of the extracts in EF with imaginative additions.

⁵ *Extracts*, &c. (EFL). Perhaps it is significant that it was in this year that Maurice Kavanagh, alleged to be the abbot's son, was executed for murder (see above).

be dyvers Abbayes ajoyning to these Iryshmen wyche do more ayde and supportacon to them than to the Kyng or his subjects, parte agaynst their wyllys, as the Abbey of Duske, com. Carlagh . . . wyche may be suppressed and gevyn by our sovereign lord the Kyng to yong lords, knights, and gents out of England, which shall dwell upon the same":¹

It will be observed that the charge of disloyalty to the Crown is expressly preferred against the monasteries in this recommendation.²

Events moved quickly, and the abbey of Duiske was dissolved by Letters Patent of 6th May, 1536, followed by an Act of the Irish Parliament in 1537. Abbot Kavanagh was granted a pension of £10 a year.³

The transfer to the Crown of the possessions of the convent was made at Kilkenny on 4th January, 1541, as is set out in the following document, which has been transcribed for us by Miss E. Thompson:⁴—

106.

COM. KYLKENNY.

Possessiones ad nuper monasterium de Duske in comitatu predicto pertinentes.—Extenta omnium et singulorum tenementorum ac aliarum possessionum tam spiritualium quam temporalium, ad nuper monasterium de Duske in comitatu predicto pertinentium, in manibus domini nostri Henrici viij^{vi}, Dei Gratia Anglie et Frauncie Regis, fidei Defensoris, Domini Hibernie, ac in terra supremi capitis Anglicane et Hibernicane ecclesie, per dissolutionem eiusdem nuper monasterii, pretextu sursum-redditionis per abbatem et conuentum ibidem habite, facta apud Kylkenny iij^{to} die Januarii anno regni regis predicti xxxij^{do}: Coram Antonio Seynetleger milite deputato Domini Regis terre sue Hibernie, et Willelmo Cavendysshe uno auditorum curie augmentationis revenientium corone predictae Domini Regis ac commissionariis ipsius Domini Regis nuper assignatis unacum Thoma Walshe uno Baronum de Scaccario dicti Domini Regis in Anglia, et Johanne Mynne uno auditorum compotorum scaccarii ipsius Domini Regis in Anglia,⁵ inter alia ad omnia et singula castra dominia maneria terras et tenementa

¹ Quoted by Hore, *Tintern Abbey*, p. 72, from the State Papers.

² See pp. 136, 150.

³ Archbishop King's *Collectanea*, p. 360. In 1549 a Pardon was granted to "Charles Kavanagh, late abbot of Duiske" (*Fiants* Ed. VI, no. 348).

⁴ State Papers, Ireland, Henry VIII. Portfolios, vol. iii (Public Record Office, London).

⁵ Sir *Anthony St. Leger* was Lord Deputy from 1540 to 1546. Sir *William Cavendish* was engaged in the business of taking over monastic property from the year 1530 onward; he was the builder of Chatsworth, the famous seat of the family. Baron *Thomas Walsh* and *John Mynne*, as the king's commissioners, appear in connexion with the transfer to the Crown of several other religious houses in the South of Ireland (see Hore's *Wexford*, p. 146, and *Enniscorthy*, p. 360).

ac ceteras quascumque possessiones predicti Domini Regis infra terram suam Hibernie supervidendum et extendendum per sacramentum Caroli Caverner¹ nuper abbatis predicti monasterii, Hugonis Smythe, Darby Fynne, Edwardi Fytz Tybotbutler, Nicholai Fytz Peers, Thome Connér, Willelmi Ryan, Willelmi Fytz Daly, Donaldi Fytz Peers et aliorum proborum et legalium hominum comitatus predicti: Qui quidem iurati dicunt super sacramentum suum, quod est infra scitum predicti nuper monasterii, una ecclesia cum cymiterio, claustrum pomarium, et gardinum que continent per estimationem duas acras maioris mensure et nihil valent per annum ultra reparationes ad custus firmarii ibidem sustentandas.

Villata de Duske.—Sunt ibi xxx acre terre arabilis xv acre pasture et xxv acre bosci annui ualoris xl.s. Et quod sunt ibidem iij gurgites² anguillarum annui ualoris xiiij. s. iij. d. Quod est ibidem unum molendinum aquaticum et ualet per annum ultra reparationes xl.s. Quod sunt ibidem xxij cotagii pro quibus tenentes non soluunt redditum preter custumas. Pro custumis xij dies aratri uocatas Ploughedayes, xij dies carecte,³ xii precarias⁴ in autumpno, xii dies ad purgandum bladum ac xii gallinas ac de qualibet brasina cervicie unam lagenam melioris cervicie,⁵ xii panes uocatas “cakys” et ad festum Natalis Domini unum quarterum carnis bouium et de quolibet grege ouium de numero vii et ultra debet reddere unum ouem pretii viii. d. et sic de quolibet grege porcorum de eodem numero unum porcum pretii viii. d. que custume appreciantur communibus annis ad xviii. s.

Summa extente uillate predictae cum custumis lxj. s. iiii. d.⁶

Villata de Raghendonor.—Sunt ibidem xxx acre terre arabilis, xv acre pasture et xv acre bosci maioris mensure et valent per annum xl.s. Quod sunt ibidem xiiij. cotagii pro quibus tenentes nullum soluunt redditum. Pro custumis xii dies aratri, xii dies caruce, xvii precarias uocatas Hokedays⁷ in autumno: de quolibet grege ouium de numero vii et ultra unum ouem pretii viii. d. Et sic de quolibet grege porcorum de eodem numero unum porcum pretii xii. d. que hic non appreciantur eo quod pertinent firmario eiusdem uillate.

Summa extente uillate predictae patet.

*Villata de Ballyogan.*⁸—Sunt ibidem decem acre terre arabilis et decem acre bosci maioris mensure et valent per annum—xxvj. s. viij. d.

*Villata de Thekerleuan.*⁹—Sunt ibidem decem acre terre arabilis quinque acre bosci et quinque acre pasture maioris mensure et valent per annum—xx. s. Pro custumis iij dies aratri, tres carecte ad ducendum bladum vj pre-

¹ I.e. Kavanagh.

² Eel-weirs.

³ With the cart.

⁴ Boon-days.

⁵ For every brewing of beer, one gallon of best beer.

⁶ It should be lxxi. s. iiii.

⁷ “Hokedays,” i.e. days with the reaping hook, which the tenants were bound to give the landlord at harvest time.

⁸ Two or three miles south of Graiguenamanagh, on the Barrow.

⁹ Tikerleuan.

carias in autumnno, vj dies ad purgandum,¹ et vj gallinas que appreciantur ad—iij. s. iiij. d.

Summa extente uillate predicte—xxiij. s., iiij. d.

*Villata de Copponaghe.*²—Sunt ibidem decem acre terre arabilis et decem acre pasture et montane que nuper dimisse fuerunt pro xx. s. per annum, et modo causa guerre et rebellionis de le Kavernaghes et aliorum Hibernicorum iacent uastate et inoccupate.

*Villata de Claynehowme.*³—Sunt decem acre terre arabilis quinque acre pasture et xv acre bosci que ualent per annum—xl. s.

*Villata de Kyllen.*⁴—Sunt decem acre terre arabilis ix. acre pasture et una acra bosci mesure predicte et ualent per annum xx. s. Quod sunt ibidem iiij^{or} cotagii pro quibus tenentes nullum soluunt redditum et pro custumis iij dies aratri, iij carecte ad ducendum bladum,⁵ iiij^{or} precarias in autumpno, iiij dies ad purgandum segetes et iiij^{or} gallinas que appreciantur ad iij. s. viij. d.

Summa extente uillate predicte—xxiij. s. viij. d.

Villata de Garbok.—Sunt ibidem decem acre terre arabilis ix acre pasture et una acra bosci annui ualoris xiiij. s., iiij. d. Pro custumis, ij dies aratri, ij carecte ad ducendum bladum, ij precarias in autumpno et ij dies ad purgandum bladum et duas gallinas que appreciantur ad xix. d.

Summa extente uillate predicte—xiiij. xi. d.

Villata de Moynenetalan.—Sunt ibidem decem acre terre arabilis viij acre pasture et ij acre bosci maioris mesure et ualent per annum—xx. s.

*Grangia de Woode.*⁶—Quod tenet ibidem xxxv. acras terre arabilis unam acram prati, iiij acras subbosci et unam acram more et reddit annuatim xx modos frumenti et xx. modos auenarum pretium cuiuslibet modi ij. s. attingentes ad iiij. li. pro custumis ij dies aratri, ii carecte ad ducendum bladum, ij precarias in autumpno, ij dies ad purgandum bladum et duas gallinas que appreciantur ad—ij. s. ij. d.

Summa extente uillate predicte—iiij li. ij. s. ij. d.

Grangia de Willelmo Carraghe.—Sunt ibidem lxxv. acre terre arabilis, et quinque acre more et pasture maioris mesure et ualent per annum—lxvi. s. viij. d. Sunt ibidem xi cotagii pro quibus tenentes nullum soluunt redditum; pro custumis iiij dies aratri, iiij carecte ad ducendum bladum, xii precarias in autumpno, xii dies ad purgandum bladum, et xii gallinas que appreciantur ad vij. s. viij. d.

Summa extente uillate predicte—lxxiiij. s. iiij. d.

¹ I.e. for cleansing or weeding the crops.

² Coppenagh.

³ Glancome.

⁴ Killenny (?).

⁵ Three days with the cart for carrying corn.

⁶ Grange Silvae.

*Grangia de Downyng.*¹—Sunt ibidem lvj acre terre arabilis, iii acre pasture et una acre more et ualent per annum—liij. s. iiij. d. Quod est ibidem unum molendinum aquaticum et ualet per annum ultra omnimodas reparationes decem picas frumenti et decem picas avenarum pretium cuiuslibet pice ij. s. attingentes ad—xl. s.

Summa extente uillate predictae cum molendino—iiij. li. xij. s. iiij. d.

*Villata de Old Abbey.*²—Sunt ibidem xxxviij acre terre arabilis ij acre bosci, una gurges anguillarum et unum molendinum aquaticum in occupatione Caroli Cauerner nuper abbatis monasterii de Duske. Reddendum inde per annum—xx. s.

*Grangia de Hanamoltys.*³—Sunt ibidem lxxvj acre terre arabilis iiij acre pasture annui ualoris—cvj. s. viij. d. Quod est ibidem unum molendinum aquaticum et dimidia gurges anguillarum annui ualoris ultra omnimodas reparationes—cvj. s. viij. d.

Summa extente uillate predictae cum molendino—xli. xij. s. iiij. d.

*Grangia de Tollaghanny.*⁴—Sunt ibidem iiij^{xx} acre terre arabilis xj acre pasture, viij acre bosci et una acra more et ualent per annum iiij li. Sunt ibidem xij cotagii pro quibus tenentes nullum soluunt redditum: pro custumis viij dies aratri viij carecte ad ducendum bladum, xvj. precarias in autumpno xvj dies ad purgandum bladum et xvj gallinas que appreciantur ad x. s. viij. d.

Summa extente graungie predictae cum custumis—iiij li. xv. s. viij. d.

COMITATUS CATHERLAGHE.

Certe terre Ingraumge Wate.—Sunt ibidem decem acre terre arabilis et quoddam fundum unius molendini aquatici nuper annui ualoris vj. s. viij. d., et modo causa guerre et rebellionis de le Cauerners iacent uastate et inoccupate.

COMITATUS WEXFORD, *Fassaghventree.*

*Villata de Garrauahell.*⁵—Sunt ibidem xxx acre terre arabilis et xxx acre pasture nuper annui ualoris xx. s. Et modo causa guerre et rebellionis de le Cauerners, Towles, Byrnes et aliorum Hibernicorum iacent uastate et inoccupate.

Villata de Kyllanne.—Sunt ibidem xxx acre terre arabilis et xxx acre pasture nuper annui ualoris xx s. Et modo causa guerre et rebellionis predictorum Hibernicorum iacent uastate et inoccupate.

*Villata de Kyllalsok.*⁶—Sunt ibidem decem acre terre arabilis viij acre

¹ Doninga; cf. p. 99.

⁵ Garraun, in Bantry.

² Killenny.

⁶ Kilmallock, in Ballaghkeen S.

³ Annamult.

⁴ Tulachany.

pasture et montane et due acre bosci nuper annui ualoris xx. s. Et modo causa predicta iacent uastate et inoccupate.

*Villata de Rawale.*¹—Sunt ibidem x. acre terre arabilis, ix. acre pasture et una acre bosci nuper annui ualoris—xiiij. s. iiij. d. et modo causa supradicta iacent uastate et inoccupate.

*Villata de Rayrarran.*²—Sunt ibidem decem acre terre arabilis et una acre bosci nuper annui ualoris xiiij. s. iiij. d. et modo causa supradicta iacent uastate et inoccupate.

*Villata de Ballylene alias Ballyssylley.*³—Sunt ibidem decem acre terre arabilis et decem acre pasture que nuper dimisse fuerunt pro xij s. iiij d. per annum et modo causa predicta uastate et inoccupate.

Rectoria de Duske.—Quod rectoria predicta appropriata fuit predicto nuper monasterio et ad manus regis per dissolutionem eiusdem super monasterii deueniebat et colligitur annuatim per vij picas frumenti et viij picas auenarum mesure Kylkenny uidelicet qualibet pica continente xxiiij lagenas⁴ pretium cuiuslibet pice unocum alio ij. s. iiij. d. Sic dimissa Hugoni M'Gowan reddendum per annum ultra alteragium pertinens ad curatum—xl. s. Quod donatio et aduocatio uicarie ibidem ad dominum regem per dissolutionem eiusdem nuper monasterii spectent.

Quod decima garbarum⁵ uillate predictae colligitur annuatim per viij copulas⁶ pretio copule xiiij. s. iiij. d. in toto—cvi. s. viij. d.

*Decima uillate de Thokerleuana.*⁷—Decima garbarum uillate predictae colligitur annuatim per dimidium copule pretium—vj. s. viij. d.

Decima uillate de Copponagh.—Quod decima eiusdem uillate nuper ualebat xx. s. et modo causa guerre et rebellionis de la Cauernars iacet uasta.

Decima uillate de Glancome.—Quod decima garbarum eiusdem uillate nuper ualebat xx. s. Et modo iacent uastate causa rebellionis predictorum Hibernicorum.

Decima uillate de Garwok.—Quod decima eiusdem uillate nuper ualebat per annum xx. s. Et modo causa rebellionis predictae non ualet per annum ultra xiiij. s. iiij. d.

Decima uillate de Moyntalyn.—Quod decima eiusdem uillate nuper ualebat per annum xx. s. Et modo iacet uastata causa predicta.

¹ Rahale, in Ballaghkeen S.

² Raheenagurren, in Ballaghkeen N.

³ Ballysillagh, in Ballaghkeen S.

⁴ I.e. "8 pecks of Kilkenny measure, each peck containing 24 gallons."

⁵ Sheaves.

⁶ Bundles.

⁷ Tikerlevan.

Decima Graungie de la Woode.—Quod decima garbarum eiusdem grangie colligitur annuatim per decem picas frumenti et decem picas auenarum mensure Kylkenney predictæ, pretium cuiuslibet pice unocum alio ij. s. iiij. d. attingente ad—xlvj. s. viij. d.

Decima Graungie de Willm Carraghe, cum decima Grangie de Dornen.—Quod decima garbarum graungie predictæ colligitur annuatim per xl. picas frumenti et xl. picas auenarum mensure predictæ pretium cuiuslibet pice unocum alio ij. s. iiij. d. attingente ad—iiij li. xiiij. s. xiiij. d.

Decima uillate de Old Abbey.—Quod Carolus Cauernar nuper abbas dicti nuper monasterii tenet decimam de Old Abbey predicta et reddet per annum —xx. s.

*Rectoria de Hannamolte.*¹—Quod rectoria predicta appropriata fuit ad dictum nuper monasterium et ad manus domini regis per dissolutionem eiusdem nuper monasterii deuenibat et ualet per annum in decima granorum xxx picas frumenti et xxx picas auenarum, pretio cuiuslibet pice, uno cum alio ij. s. iiij. d., dimissa predicto Hugoni M'Goodwyn reddendum per annum vii. li. Quod alteragium pertinet ad curatum ibidem.

*Rectoria de Talloghanye.*²—Quod rectoria predicta ad dictum nuper monasterium spectabat et ad manus domini regis per dissolutionem eiusdem nuper monasterii devenibat et ualet per annum in decima granorum ultra alteragium pertinens ad curatum ibidem, xxx picas frumenti et xxx picas auenarum mensure predictæ pretium cuiuslibet pice ij. s. iiij. d. attingente ad—vij. li.

Rectoria de Ballyle.—Quod eadem rectoria ad dictum nuper monasterium spectabat et ad manus domini regis per dissolutionem predicti nuper monasterii deuenibat et ualet per annum in duabus partibus decime granorum ultra tertiam partem et alteragium pertinens ad curatum ibidem—xl. s. Quod donatio et aduocatio uicarie predictæ per dissolutionem eiusdem nuper monasterii ad dominum regem spectant.

COMITATUS CORK.

Villata de Ballygawk.—Sunt ibidem xxx acre terre arabilis et pasture nuper annui ualoris xxii. d. sterlyng, et modo iacent uastate causa rebellionis inhabitat ibidem.

Villata de Neronyff.—Sunt ibidem lx acre terre et pasture nuper annui ualoris x. s. et modo non ualent ultra—ij. s. sterling.

*Rectoria de Kyleombre.*³—Eadem rectoria ad predictum nuper monasterium pertinebat ac ad manus domini regis deuenibat per dissolutionem eiusdem

¹ Annamult.

² Tulachany.

³ Kilcummer, in the barony of Fermoy, co. Cork.

nuper monasterii et nuper ualebat annuatim lx. s. sterling et modo iacet uastata causa predicta.

Rectoria de Kyleromglassey alias ————. ¹—Eadem rectoria ad dictum monasterium pertinebat ac simili modo ad manus domini regis deuenebat nuper annui ualoris xx. s. sterling. Sed modo causa rebellionis inhabitantium ibidem non ualet per annum ultra—x. s.

Summa totalis extente omnium possessionum tam spiritualium quam temporalium ad dictum nuper monasterium pertinentium ultra terras uastatas—lxxvj. li. xij. s. v. d.

The following additional memorandum of the goods belonging to the monastery must be quoted here:—

Account of William Brabazon,² Under-Treasurer of Ireland, of goods and chattels of the late monasteries of Beetyff, Tynterne, Dunbrody, Baltyngglas, and Duske, dissolved lately by letters patents of 6 May, 28 Henry VIII, and on the authority of Parliament held at Dublin the same year.³

Idem reddit compotum
de iiij li. xij. s. iiij. d. de pretio quinque uaccarum et unius paris organorum parcella bonorum et catallorum ad predictum nuper monasterium de Duske tempore dissolutionis eiusdem pertinentium que post predictum festum⁴ ad manus ipsius computantis deuenerunt sicut continetur ibidem.⁵ De pretio aliquorum aliorum bonorum seu catallorum ad predictum nuper monasterium tempore predicto pertinentium non respondet. Et quod cetera bona et catalla, ad manus Iacobi Comitis Ormondie et Ossorie deuenerunt. Ita quod nulla alia siue plura bona seu catalla ad idem nuper monasterium tempore predicto spectantia preterquam bona et catalla superonerata. Ac quandam campanam in campanili ecclesie ibidem existentem, de qua idem computans inferius respondit, ad manus ipsius computantis deuenerunt, ut dicit super sacramentum suum ac sicut continentur ibidem. De quibusdam residuis bonorum et catallorum predictorum aut de pretio eorundem preterquam campanam predictam idem comes est domini regi responsurus.

In the same year (1541) in which the abbey lands were transferred to the Crown, the King gave a lease of them for twenty-one years to James Butler, ninth Earl of Ormonde,⁶ whose services to the State had been conspicuous.

¹ The other name is not given.

² Sir William Brabazon, Vice-Treasurer and Lord Justice, was one of the king's principal agents in the dissolution of the monasteries. It was he who finally subdued the Kavanaghs in 1550.

³ State Papers, Ireland, Henry VIII, portfolios, vol. ii.

⁴ St. Michael mentioned in the head of the account.

⁵ A book of accounts mentioned earlier in this account.

⁶ As we have seen, he was grandnephew of the abbot, Charles Kavanagh (p. 154).

He died of poison in London in 1546, and the lands of the convent came into the hands of his fifth son, James Butler.

The transfer of the abbey lands to the Crown was again legalized and confirmed in 1556 by 3 & 4 Philip and Mary, ch. 8.

In 1559 James Butler, the second lay owner, petitioned¹ the Queen for the renewing of the lease of the possessions of the abbey, which had been given to his father twenty-one years before, and it was granted on 26 Jan., 1561, there being leased "the lands of Dusk, Rahindowner, Ballyogan, Copanagh, Tegh-kyrlevan, Moyntyncillany, Gleawne, Cownie, the upper grange called the Wood Grange, the nether grange called William Curragh's grange, and Downe-Inney, and all lands in Fassagh Bentrie in the counties of Wexford and Carlow, leased 24 Jan., xxix Hen. VIII, to James, lord Butler, father of the present lessee: to hold for twenty-one years at a rent of £15 during the life of the lessee, and of £25 afterwards"; with certain reservations, two of the conditions being that the buildings were to be maintained, and that the lands were not to be set to any persons not English by both parents.²

This seems to be the place at which mention should be made of a story that has received wide circulation, as to the massacre of some of the monks of Duiske Abbey, in the reign of Elizabeth. As we have seen, the abbey was dissolved in 1537; but it is possible that here, as in some other instances, members of the community continued to inhabit the old buildings for some years after their lands had been taken from them. The story is told by a Roman Catholic writer, Philip O'Sullivan Beare, who left Ireland for Spain in his youth, and was published by him in 1629.

"Situated on the river Barrow," he says, "there is a noble monastery of the order of St. Bernard, called in Irish *Graigie*, but known to those who speak Latin as *Jerpont*, from the nearest bridge. The robbers go to seize it. As they draw near, twelve religious go out to meet them, in ecclesiastical array.³ But when they were bidden by the wicked men to put off their sacred vestments, and to yield to Elizabeth, Queen of England, their superior⁴ (he was the prior, for the abbot had died a few days before), answered: 'That this could not be done, if the faith which they had pledged to God, to the Virgin Mother, and to St. Bernard, and the Christian piety which they professed, were to be kept; and that they would not violate their faith and Christian piety.' And when the others also had added their assent to his decision, they were all slain together."⁵

¹ Cal. of State Papers, Ireland, 16 July, 1559.

² *Fiants Elizabeth*, no. 290.

³ In ecclesiasticam pompam instructi.

⁴ Praefectus.

⁵ *Patritiana Decas* (Madrid, 1629), by P. O'Sullivan Beare, fol. 163 b. I have given a quite literal translation of his Latin.

The writer was not a contemporary, and he was evidently not acquainted with the locality, for he confuses the abbey of Graigue with that of Jerpoint. But there may be some truth in his melancholy tale, although we can find no other authority for it.¹ Local tradition, indeed, now points to a place at Graigue called the "Black Bout" as the scene of the massacre;² but whether the tradition is genuine, or whether it has grown up of recent years, it is not easy to determine. One thing, however, is plain; namely, that the date which has been assigned to the massacre in modern books is an impossible one.

As early as 1649, the story was reproduced from O'Sullivan's work by John Hartry, in his *Synopsis* of famous Irish Cistercians.³ This writer, while he silently omits O'Sullivan's blunder about Jerpoint, adds on his own account that the abbot who had "died a few days before" the massacre was Charles Kavanagh—"qui obiit anno circiter 1580 et in Veteri Monasterio sepelitur."⁴ We have already seen (p. 153) that Stanihurst, writing in 1577, speaks of abbot Kavanagh in the past tense, as one who was dead some time before he wrote, so that Hartry's guess at the date (which has been followed by many writers)⁵ is at once disproved. Indeed, as Charles Kavanagh witnessed Donnell Reagh Kavanagh's charter in 1475, and became abbot in 1501 or 1502, it is plain that the date of his death cannot be much later than 1558, even if we allow him the hundred years of life of which Stanihurst speaks. Stanihurst is the earliest and the most trustworthy authority for abbot Kavanagh, and his report that the abbot "flourished in the year 1550" evidently means that the old man was alive at the date, the period of his greatest activity being, as we know, between 1501 and 1537, when his monastery was dissolved and he was pensioned.⁶

If, then, we are to fix a date in the reign of Elizabeth for this sad business, it must be as early as possible after her accession; and it is not improbable that when James Butler, the second lay owner, obtained from the Queen a renewal of his lease in 1561,⁷ he forthwith set himself to enforce his legal

¹ Henriquez does not mention it in his account of the Cistercians who suffered for their faith, and he is an earlier writer than O'Sullivan Beare.

² This is stated by Mr. O'Leary in his paper on the Abbey of Graiguenamanagh (*Journal R.S.A.I.*, 1892, p. 240 n.)

³ See D. Murphy, *Triumphalia sanctae Crucis*, p. 249, for a reprint.

⁴ It is likely that Hartry is correct as to the place of burial being the *Vetus Monasterium*, i.e. St. Mullin's, on the Barrow, for there was a Kavanagh family burying-place there.

⁵ E.g. by Fr. Denis Murphy in his work *Our Martyrs* (p. 154), who prefixes to his account of the massacre the date "1584(?)."

⁶ Dugdale (*Monasticon*, vi, 1134) distinguishes Caher or Charles Kavanagh who became abbot in 1501, from Charles M. Murrough Kavanagh who in 1537 received his pension as the last abbot. But there is no ground for this distinction, and no hint of it anywhere in the records.

⁷ P. 162.

rights of possession, with fatal consequences for the monks who resisted his agents.

However this may be, James Butler was not content with the lease which he got in 1561, and in 1566 he petitioned the Crown for a fee-farm grant of the abbey lands.¹ The petition was granted, and letters patent were passed accordingly.² But the petitioner died shortly afterwards, and in 1567 the grant was made to his son, also named James Butler, of the lands as mentioned in the lease of 1561, "besides the lands of the grange of Hanumolt, the grange of Tulaghanny and land, an eel-weir, and a water-mill in Old Abbaye, alias Shanmanister, co. Kilkenny, . . . to hold in fee farm for ever by the service of one-twentieth part of a knight's fee, at a rent of £41," curates to be maintained in the churches on the property.³

This James Butler, the younger, of Duiske, died without issue, and the abbey lands reverted to his uncle Thomas, tenth earl of Ormonde, who conveyed them in 1597 to his illegitimate son, Piers Butler.⁴ This Piers Butler died in 1601, and was succeeded by his son, Sir Edward Butler,⁵ who became Viscount Galmoy in 1646.⁶

A document copied for this owner out of the "Ancient Book of Graigue," which gives the boundaries of Tulachany, an estate forming an often-mentioned and valuable part of the property of our abbey, will conclude our collection of the muniments of Duiske.

It is written in a seventeenth-century hand, and is entitled:—

107.

The true coppie of the mearing of Grangtulleghan, coppied out of the Auncient Book of Graigy, and translated into English, which book remayneth with Sir Edward Butler.

By beginning from Luiskenn Patrick (1) by the Dyke w^{ch} leadeth even to the White thorne of the Court otherwise called Skeghne Corte (2) and there beginne to be three Lords that is to say Gerald FitzGerald, Baron Commerford, and the Abbot. Thence passing by the wall or dyke which leadeth neere Gorteneigh and Baneleskie (3) and from thence to the moore or bogg belonging

¹ *Cal. State Papers*, 31 July, 1566.

² *Morrin's Cal. Patent Rolls*, 15 Jan., 1567.

³ *Fiants Elizabeth*, no. 1175, 8 Oct., 1567; cf. *Cal. State Papers*, 10 Aug., 1567.

⁴ In *Fiants Elizabeth*, no. 6441, 22 Sept., 1600, we have a "Pardon" for this Piers Butler.

⁵ In an Inquisition held at Kilkenny, 19 Sept., 1607, Edward Butler de Oldabay (i.e. Old Abbey or Killenny) claimed "villam et terram de Garneirdden ut parcellam abbatiæ de Dusk."

⁶ A monument to Sir Edward Butler, Viscount Galmoy, is still extant, inserted in the wall of the Vestry of the Roman Catholic Church of Graiguenamanagh.

to John Fanning and following the meare by passing by the sayd moore or bogg w^{ch} divideth Ballyburr (4), by leaving Mone Edebban (5) on the monkes part and from thence passing by the Dyke w^{ch} is called Lysbryan (6), and there the moncks have one acre of land granted unto [them] in honour of the Holye Crosse (7) in fee from Ballyburre and following the meare w^{ch} is called Lysbrian even to the Kings highe waye (8) and following that sayd highe waye unto the foord called Bellatcallye (9), and there ascending by the little brooke, unto the foord called Aghtolloghan (10) and there dividing wth the Baron Lyster . . . St Leger and from thence ascending by the little brooke or water Naghpale (11), by leaving the wood w^{ch} is commonly called Keylmayne (12) on the moncks part, and then ascending through the marishe betweene Clonedauenemaunagh (13) and Roseneagh belonging to the Baron Lyster . . . St. Leger and from thence leading into Dyrryrathdauton (14) and there beginning by the water w^{ch} passeth from out of the bogg lying neere Dyrryrathdauton on the East syde dividing wth Ballycallan from thence following the same water even unto Coulcoyle (15) and there beginne to be three Lords, whereof every one maye be in his owne Lordshippe (16), that is to saye the Earle of March, Baro Forestall and the Abbot of Dwyske, and passing from the same water unto the little brooke descending from the freehould of Forestall (17) and following this water even to the Dyke rysing out of the aforesayd little river dividing wth the towne commonly called Dammagh and passing by that dyke into the wood called Enaltagh (18) and there the moncks have one acre of moore called Monemaistyne (19) and that wood is common betwixt the Viscount Wale and the Abbot and convent, and there following the water rising on the other part of that wood on the south syde into the yellowe foord, otherwise called Aghbuy (20) from thence dividing with Ballybrowne (21) and from thence into the black foord, and from the black foord (22) through the water into Lough Enabb and there following the wall rising from Lough Enabb (23) into Baneard (24) and from Baneard by the dyke even to Rahyn-neuennoge (24) and from thence by the Dyke passing neere Banog-Colletan (24) and from Banog Colletan even to Gortenardbegg (24) and from thence by the Dyke even to Coulycabbau (24) and from there to Leagan (25) and from thence by the dyke before named Luiskean Patrick and all the lands w^{ch} are contayned between these bounds, are belonging to the moncks.

For the annotations upon this document, which follow, we are indebted to the exact topographical knowledge of the Rev. Dr. Carrigan, whose *History of the Diocese of Ossory* we have frequently quoted.

(1). This is the well-known rock beside the public road from Kilkenny to Kells, in the townland of Kilmogg or Racecourse, and close to the bounds of the townland of Knocklegan. In later times it was known as GLÚIN-PHÁDRAIG, or St. Patrick's Knees, because it was supposed to bear the marks of the saint's knees as he knelt thereon in prayer. From a whitethorn growing over the rock and bearing *ex votos* of pieces of cloth, linen, &c., the spot is now always called "Patrick's Bush."

(2). The site of SCEACH-NA-CÚIRTE, or Bush of the Court, was at the point of meeting of the three townlands of Oldtown (belonging to Fitzgerald of Burnchurch), Newlands (belonging to Comerford of Ballymack), and Baunlusk (belonging to the abbot of Duiske).

(3). Now the townland of Baunlusk.

(4). A parish in the barony of Shillelogher, and consisting of the two townlands of Ballybur Lower and Ballybur Upper.

(5). That is, MÓIN-FHADA-BHÁN, the long, white bog. The name is now probably obsolete.

(6). LIOS BHRIAIN, Brian's Fort. This name, now remembered only under its Irish form, *Lis-Bzheccann*, is applied to a 12-acre field in Ballybur, between Ballybur castle and the Callan road; but evidently LIOS BHRIAIN was originally of larger extent.

(7). The Holy Cross was the Patron of the ancient chapel and parish of Grange.

(8). The public road from Kilkenny to Callan.

(9). The name is still preserved under the form *Awch-chöllia*, and gives name to "*Awch-chöllia* bridge" on the Callan road, at the meeting of the townlands of Ballybur and Church Hill. On the Ordnance Map this bridge appears incorrectly as "*Aughcoultagh* Bridge."

(10). Now Black Stick Bridge, and, in Irish, *Awch-a-voddha-dhuv*, i.e. the Ford of the Black Stick. The old name, Aghtolloghan, or Ford of Tullaghany, is no longer remembered.

(11). The stream flowing under Black Stick Bridge.

(12). Elsewhere written Kylvyan, i.e. COILL-MEADHAIN, Middle Kyle or Wood. This wood was in either Church Hill or Grange, about where both townlands meet the townland of Grove.

(13). CLUAIN-DAMH-NA-MANACH, or the Ox-Plain of the Monks, also mentioned as Clonduffe-na-mannagh and Clundaf, is identical more or less with the townland of Grange.

(14). Now apparently the townland of Rossdama, which here bounds Toberbreedia, formerly part of the townland of Ballycallan.

(15). That is, CÚIL-CHUILL (pronounced *Cool-chyle*), the Hazel Angle. The point of the angle of CÚIL-CHUILL juts out into Ballycallan townland, about thirty perches to the north of the townland of Toberbreedia.

(16). Namely, Ballycallan, the property of the Earl of March (or, more correctly it would appear, of his relatives the Despencers), Ballevan, as part of Ballyfrunk, the property of Forrestall of Kilferagh, and Rossdama, belonging to the Abbot of Duiske. At present Ballevan does not quite join Rossdama, being separated from it for a distance of about fifty perches of a moor by the townland of Ballycallan; but it is not unlikely that, in the course of several centuries, there was some slight change of boundaries here.

(17). That is, the stream running through Ballyfrunk and Ballevan, and then dividing the townland of Damma, in the parish of Ballycallan, from Rossdama.

(18). COILL-AN-FHALTAIGH (pronounced *Kyle-an-Awltha*, the wood of Vale, Wale, or Wall, the ancient lord of Castleinch or Inchiologhan. This wood, in part at least, is identical with the present townland of Woodlands, in Irish, BAILE-NA-COILLE, in the parish of Castleinch, and stretching along the north-east border of the townland of Grange.

(19). MÓIN-MHAISTÍN, the Mastiff's Bog.

(20). The Aglibuy (ATH-BUIDHE), or yellow ford or river, separated Raheenduff in Grange parish from Gurrawn and Brownstown in the parish of Castleinch.

(21). In Irish, BAILE-A'-BHRÚNAIGH, now the townland of Brownstown.

(22). The Black ford (ATH-DUBH) was evidently where the Callan road passes over the stream separating the townland of Grangecuffe and Raheenduff from the townland of Brownstown; and, doubtless, on inquiry in the locality the old name could be easily recovered.

(23). LOCH-AN-ABBAIDH, the abbot's lough or pond, on the bounds of the townlands of Rathaleek and Grangecuffe.

(24). On the boundary between the townland of Kilmogg or Racecourse and the small townland of Knocklegan, but cannot at present be identified.

(25). Leagan may here mean the townland of Knocklegan (CNOC-A'-LIAGÁIN), the hill of the LIAGÁN or pillar stone; or, it may mean the great LIAGÁN now resting against a wall or fence close to Patrick's Bush, or GLÚIN PHÁDRAIG, otherwise Luiskean Patrick.

The lands of which there is question here are coextensive with the civil *parish* of Grange, in the barony of Shillelogher, and county of Kilkenny. In the *Red Book of Ossory* the parish of Grange appears as Tullachany, Tillaghany, and Tylahany; in less ancient records it is also called the Grange of Tullaghany and Grange Tullaghan. The different townlands into which it is now divided are: Baunlusk, Church Hill, Grange, Grangecuffe, Kilmogg or Racecourse, Raheenduff, and Rossdama. The area of the parish is 1,934 A. 2 R. 24 P. statute measure.

The original name of the parish may be TULCHÁN, a green hillock or mound, but it seems more likely to have been something like TULCHANNA, that is, the place of the green hillocks. The only Irish name by which it is now remembered is PARRÁISTE-NA-GRÁINSIGHE, the parish of GRÁINSEACH or Grange.

The Irish forms of the townland names in the parish are:—

Baunlusk: BÁN-LOISGTHE (pronounced *Bawn-lushkaha*), the Burned Bawn or yard.

Church Hill: CNOC-A'-TEAMPUILL, Hill of the Church.

Grange: GRÁINSEACH (pronounced *Grawnshach*), the Grange or Farm-yard [of the Monks].

Grangecuffe: GRÁINSEACH-Cuffe, Cuffe's Grange.

Kilmogg or Racecourse: CILL-MAGAIDH (pronounced *Kilmogg*, a local shortening of Kilmogga, which is the correct sound), the Church of St. Magadh.

Raheenduff: RAITHÍN-DUBH, the Black little rath or fort.

Rossdama: ROS-DÁ-MAGH (pronounced *Russ-dhaw-mă*), the Promontory or Wood of the Two Plains.

The conventual estates remained in the family of Sir Edward Butler until 1697, when they were forfeited, as the third Viscount Galmoy took the side of James II in the Williamite wars. In 1703 the abbey lands were purchased at the sale of forfeited estates in Chichester House by James Agar, esq., of Gowran, co. Kilkenny. We need not trace their history further.¹

¹ A full account of "the Butlers of Duiske Abbey," by Rev. James Hughes, is printed in the *Journal R.S.A.I.*, vol. x, p. 62 ff.

The precise date at which the title-deeds, including the charters printed in this volume, were placed in the Muniment Room of the Ormondes at Kilkenny Castle, cannot be ascertained; but it is probable that most of the charters were handed over to James, ninth earl of Ormonde, when the lands were leased to him after the dissolution of the abbey.¹

APPENDIX A.

THE CONVENTUAL BUILDINGS OF DUISKE.

By the late ROBERT COCHRANE, F.S.A., F.R.I.B.A.²

THE abbey church of Graiguenamanagh was built on the typical Cistercian plan, and followed very closely the ritual arrangement of buildings adopted by that Order. I have been able to prepare the accompanying ground-plan by the help of the indefatigable explorer of the ruin, Mr. Patrick O'Leary, who for years past has been engaged in tracing out the site; and I have obtained from Mr. J. G. Robertson some measurements of the walls of transepts and side chapels, as they stood in 1813, made by his relative, the late William Robertson of Kilkenny. Considerable portions of the walls have disappeared since that date.

THE ABBEY CHURCH.

The *Church* comprises a nave 130 ft. in length, and 29 ft. in width, with side aisles; full length of nave, 13 ft. in width, divided from the aisles by a series of pointed arches, seven in number, supporting side walls containing the clerestory windows, which are round-headed couplets. There are also tower, choir, transepts, and side chapels.

The piers of the nave arches are rectangular in plan, with chamfers at the angles, and have corbels introduced in the thickness of the piers, from which a slender shaft about 3 ft. in height rises, the capital supporting a moulding in the soffit of the arch.³

¹ See p. 161.

² By the kind permission of the Council of the Royal Society of Antiquaries of Ireland, this account of the remains of the conventual buildings is reprinted from the Society's *Journal* for 1892, pp. 243-247. It provides a clear and full description of the abbey and its precincts from the hand of a learned architect and antiquary, Dr. Robert Cochrane, to whom Irish archaeology owes much. The plan of the buildings, as drawn out by Dr. Cochrane, is specially valuable (Plate V).

³ The details of mouldings have Early English features, but do not show the deep hollows peculiar to that period. They consist, for the most part, of rounds and fillets, simple, but effective, and the work of men who knew how to restrain their powers, rather than give free rein to their ideas. The piers have the angles chamfered at the base; the chamfer is stopped at the springing of the arch by simple foliage carving, such as a single leaf, and from this springs the arch moulding before described, without the intervention of a capital. The capitals of corbel shafts in thickness of piers have Early English capitals with dog-tooth ornament and foliage carving. [Some illustrations of the ancient tiles found at Graiguenamanagh Abbey are given in Mr. O'Leary's paper, *Journal R.S.A.I.*, vol. xxii, p. 237.]

The west window of nave is in three separate lights, the jambs of each splayed so as to meet internally, with mouldings over the arches springing from capitals. The centre light has a pointed arch, but the two side-lights are semicircular-headed, indicative of the Transitional Period. The west ends of the aisles had tall, narrow lights, with pointed heads.

The *Tower* was in the usual position at the intersection of nave and transepts, and was carried on four massive piers with clustered shafts and capitals. The dimension of the tower was 29 ft. square, in clear of the supporting walls. Local tradition has it that this tower rose to a height of 140 ft.; but this would not be in accordance with the ruling design of the Cistercians, who adopted low square towers in their churches. Mr. O'Leary says the upper part of the tower was octagonal.¹

The *Choir* measured 45 ft. in length, by 29 ft. 6 in. in breadth, had a groined roof in three compartments, and was lighted by two windows on north and two on south side, narrow and lofty. The east window was divided into three lights.

There are no indications to show how far the ritual choir extended, but it is probable it terminated at the western line of tower.

The north and south *Transepts* measure each 40 ft. 6 in. by 29 ft., and there were three side chapels east of each transept in the position indicated on plan, the walls of which were in existence in 1813, when measured by Mr. Robertson. This arrangement and number of side chapels are found in Cistercian houses of the larger type, as at Dunbrody; two side chapels off each transept being more commonly met with, as at Jerpoint, Holycross, Fountains, &c.

The total width of the church across the transept was 110 ft. in the clear. The total length of the structure measured east and west on its axis through the nave was 216 ft. 4 in. in outer measurement, and as regards size it was inferior to few similar edifices in this country, while as to completeness of ritual and conventual arrangement, it was probably the most perfect of the Irish houses of the Order.

The stairs leading to the tower were situated in the N.E. angle of the north transept; the passage leading from stairs to tower was formed in the thickness of the east wall of this transept.

The night stairs are placed as usual at the S. W. angle of the south transept at a distance of 6 ft. 6 in. from west wall of transept; the ope of the stair door in wall is 4 ft. 10 in. in width. There is a passage leading from the southern side chapel to the vestry. The night stairs gave access from the dormitories for the convenience of the monks who had to enter the church at midnight in the performance of the duties of the choir as prescribed in the ritual of the Order.

The remarkable similarity that exists between the abbey church of Graiguenamanagh and the Cistercian church recently excavated at Strata Florida in Cardiganshire, so ably and fully described by its explorer, Mr. Stephen W. Williams, F.S.A., F.R.I.B.A.,² not only as regards the internal arrangements, but

¹ [That the tower was octagonal is stated in Grose's *Antiquities of Ireland* (1792), as well as in Seward's *Topographica Hibernica* (1795). Under "Graiguenamanagh," Seward has the following note:—"Here are the ruins of a fine abbey, the octagon tower of which fell down in 1744, an event to be regretted, because it was one of the most beautiful religious structures in the kingdom. The embellishments of this abbey are curious, and the building was formerly of a large extent."]

² *The Cistercian Abbey of Strata Florida* (1889). [Strata Florida (Stratflour) obtained

also in the approximation of the principal measurements, would seem to indicate a closer connexion than is usual between the two foundations, closely as all Cistercian houses were connected with each other. The plans of choir, tower, transepts, side chapels, nave, and aisles are in all their principal features almost identical in these Welsh and Irish Cistercian abbeys, and it would be difficult to find any other two religious houses so much alike in this respect. A few of the dimensions of each are here given :—

The total length of Graiguenamanagh is 216 ft. 4 in., and the total length of Strata Florida is 213 ft. (The latter measurement is clear of external walls.)

Size of Nave, Graiguenamanagh,	. . .	130 ft. × 29 ft.
„ „ Strata Florida,	. . .	128 ft. 6 in. × 28 ft.
Width of Aisle, Graiguenamanagh,	. . .	13 ft.
„ „ Strata Florida,	. . .	12 ft. 6 in.
Square of lantern of Tower of Graiguenamanagh,		29 ft.
„ „ „ „ „ Strata Florida,	. . .	28 ft.
Breadth across Transepts, Graiguenamanagh,	. . .	110 ft.
„ „ „ „ „ Strata Florida,	. . .	117 ft. 3 in.
Size of Choir, Graiguenamanagh,	. . .	45 ft. × 29 ft. 6 in.
„ „ Strata Florida,	. . .	52 ft. 6 in. × 28 ft.

The number of arches separating nave from aisles is seven in each case.

The Conventual Buildings.

As regards the conventual buildings of Graiguenamanagh, they are situated to the south of the church, the position usually followed save in a few instances, as in Tintern, Melrose, Beaufort, &c., where, owing to the exigencies of the site, the cloisters are placed north of the church, but such cases are the exception.

The *Sacristy* was approached from a side chapel: it is 15 ft. by 24 ft.; it was vaulted, and lighted by a window in the east, following closely the general plan elsewhere.

The next apartment is 24 ft. by 10 ft. 3 in., and may have been a penitential cell, or it may have been a store-room or *Treasury*. Similar apartments elsewhere have been supposed to be the morgue or dead-house. There is nothing in its construction calculated to throw light on the question as to which of the foregoing purposes it may have been used for.

Adjoining this we find the *Chapter-room*, an apartment 24 ft. by 20 ft. There can be no doubt as to its use, as it presents the characteristics by which such a room is invariably distinguished. We have the large doorway opening into the cloisters, with two side lights, which would have left almost the whole of the west end open. In the centre of the room we mark the position of the usual central

a Confirmation from King John on 11 April, 1200, given by the hand of Hubert Walter, archbishop of Canterbury; and it is worth noting that among the witnesses was William Marshal the elder, the founder of the abbey of Duiske. Mr. Williams also provides the information that a William le Gras witnessed a Strata Florida Inquisition at Montgomery in the year 1252. These are additional indications which fall in with Dr. Cochrane's opinion that there was a close connexion between the abbeys of Duiske and Stratflour.]

column which generally carried a rich vaulted roof, and did so in this case, and the apartment was more highly ornamented than any other portion of the buildings. The door in the east wall, opening into a larger apartment called the *Scriptorium* on plan, is a peculiar feature, and seems to call for some explanation, as it occupies the position in which we would expect to meet the seat of the Abbot, who was seated at the east end, with the members of the Chapter ranged in order at the north and south sides.

The structure at Graiguenamanagh, styled *Scriptorium* on plan, was a large apartment 66 ft. long, by 33 ft. 6 in. in width. It was of good proportions, with, no doubt, an east window, and was lighted by four windows in the south side. There was a doorway in the north side with two side lights. It will at once appear that this would be a rather unusual size for the library of a Cistercian abbey, and it is probable that it was added later for another purpose, and did not form any part of the original design.

It may have been that the receptacle originally intended for the custody of the mss. of the abbey was one of the usual small apartments, often a room not larger than that shown to the left of the Chapter-house on plan. There is documentary evidence to show that the records preserved in the abbey became numerous and valuable, and such as would require not only space, but also light, in which they could be examined. The position of the *Scriptorium* shows that it was an after-thought, and this would account for finding a doorway in the east wall of the Chapter-room to give access to it, where the abbot's stone seat, under the east window, should be. It will also be observed that the *Scriptorium* has its axis running due east and west, and has a large outer doorway, and though this door opens to the north instead of to the west, it has all the requirements suitable for a Chapter-room as well as a *Scriptorium*; and an examination of the plans of such houses as Fountains, Furness, and Tintern would show that the *Scriptorium* at Graiguenamanagh occupies the place usually assigned to the Chapter-house.

If we regard the larger of the two apartments as the Chapter-house proper, though built later, the original room designated Chapter-house on plan would serve admirably as a vestibule to the larger building, and instances are not wanting in some of the English foundations where Chapter-houses of large size were added in this way.¹ The Chapter-house at Monasternenagh, which was very large, appears to have been 62 ft. long, by 22 ft. 3 in. wide, and it is possible the arrangement at Graiguenamanagh was intended to combine a Chapter-house and *Scriptorium* in one. The usual position of the *Scriptorium* is over the Chapter-room, and the departure from the recognized plan would show the importance of the place, whether the apartment is considered as intended for the meetings of the members of the Chapter, or as a *Scriptorium*, in which the intellectual activity of the monks could fitly display itself, as in compiling the "Annals of Duiske," for instance. Portions of the south and west walls, much defaced, are standing. The east wall is gone, and a portion of the north wall remains, with the broken mouldings of the doorway and side lights. The mouldings of the jamb of the door appear to have been almost identical with the moulding of the arches of the nave, and this would tend to show these portions to be coeval.

¹ E.g. Margam Abbey, Glamorganshire.

Adjoining the Chapter-house is the *Calefactory*, or monks' day-room—an apartment 25 ft. by 24 ft. ; and next to it we have the *slype* giving access to an enclosure which was probably the *Cemetery*. Next to the slype, and at the right-hand side of plan, we find an apartment 24 ft. by 19 ft., which was most probably the dead-house or *Morgue*, and the two apartments at the southern end of the range were offices under which runs the great sewer, 3 ft. in width and 6 ft. in height, covered with a stone arch, and which, when properly flushed by water from the Duiske river, carried all the refuse to the river Barrow, where it discharged. The Cistercians were good sanitarians, and knew the value of water carriage in disposing of the sewage.

The principal building south of the cloister is that marked *Refectory* on plan, and there can be no mistake in the nomenclature of this apartment. It is of good proportions, its axis runs north and south, and it still shows the remains of the carol or reading *Gallery* in a window in west wall. The apartment west of the refectory was the *Kitchen*, and further west the *buttery*.

The range of buildings to the west of the cloister garth contained the workshops of the community, also the cellarium, and over these were the dormitories of the lay brethren or *conversi* of the Order.

The *Cloisters*, it is worthy of remark, form a perfect square, in accordance with custom ; cases in which the garth takes the form of a parallelogram being the exception.

Judging from some of the stones found, the cloister arcade appears to have been formed with small double columns of blue limestone, carrying ornamental double capitals in one stone, with semicircular-headed arches and trefoil cusping.

The remains of the *Abbot's Chamber*, which occupy the south-east angle of the site, are scanty, but sufficient to show their purpose. The *camera* of the abbot, the name by which his suite of lodgings was designated, seems to have comprised three large apartments on the ground-floor, and at least one apartment above. The position of the kitchen is indicated by the wide fire-place. It is highly probable that this group of buildings comprised both abbot's lodgings and *Infirmary*.

The Most Rev. Dr. Comerford, in his admirable account of the parishes of Graiguenamanagh and St. Mullins, says, speaking of this abbey—"There is a rich mine of beautifully sculptured stones under the present floor to a depth of some five feet. When the grave for the late Rev. M. Doyle, P.P., was being made, no less than five cartloads of sculptured stone were removed. There can be but little doubt that many monuments and other objects of interest are hidden away and consigned to oblivion beneath the present floor." Owing to the circumstances that the site is now occupied by houses of the village, and as a graveyard, and the choir, transepts, and a portion of the nave have been rebuilt and roofed for use as the Roman Catholic chapel, nothing further can be done in the way of excavation either to trace foundations or discover the buried carvings. But much still remains above ground, from which measured drawings of the mouldings of the principal architectural features may be made.

APPENDIX B.

THE ABBOTS OF DUISKE.

The following names appear :—

- 1204. . Ralph (p. 13).
- 1216. . S. (p. 28). .
- 1223. . Thomas (p. 35).
- 1265. . Thomas (p. 97).
- 1282. . T. (p. 51, perhaps the same as the last named).
- 1288-91. . John (pp. 114, 118, 122).
- 1305. . Henry (p. 129).
- 1342. . Henry (p. 134, perhaps the same as the last named).
- 1356. . William Archer (? p. 135).
- 1356. . David Cornwalshe (p. 135).
- 1415, 1424. John Dound, doctor of laws (pp. 139, 140).
- 1440. . Henry Weyng died (p. 140).
- 1440. . Philip (p. 141).
- 1447. . Dermit (p. 142).
- 1490. . Henry (p. 150).
- 1501. . Charles M'Murrough Kavanagh (pp. 153ff), the last abbot.

Some titular abbots were appointed after the suppression of the abbey; e.g., Paul Ragget in 1611 (Carrigan, iii. 122, iv. 290), and Luke Archer, Roman Catholic archdeacon of Ossory, who was "commendatory abbot of Duiske" either before or after Ragget (D. Murphy, *Triumphalia Sanctae Crucis*, p. 85).

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DESCRIPTION OF PLATES.

Plate I. Map of the district in which the Abbey of Duiske was situated.

Plate II. Seals attached to the Charters :

- (1) Giovanni di Salerno, Cardinal Priest of St. Stephen, 1202.
See p. 10.
- (2) Alan Beg, about 1220. See p. 11.
- (3) Philip de Prendergast, about 1226. See p. 42.
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- (7) Chapter Seal of Leighlin, 1228. See p. 60.
- (8) Abbot of Jerpoint, 1278. See p. 104.
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- (10) Abbot of Hore Abbey, Rock of Cashel, 1289. See p. 118.
- (11) Abbot of Jerpoint, 1290. See p. 122.
- (12) William Fitz John, bishop of Ossory, about 1304. See
p. 128.

Plates III and IV. The Abbey of Duiske in 1792 (from Grose's *Antiquities*).

Plate V. Plan of the Abbey Buildings (by R. Cochrane).

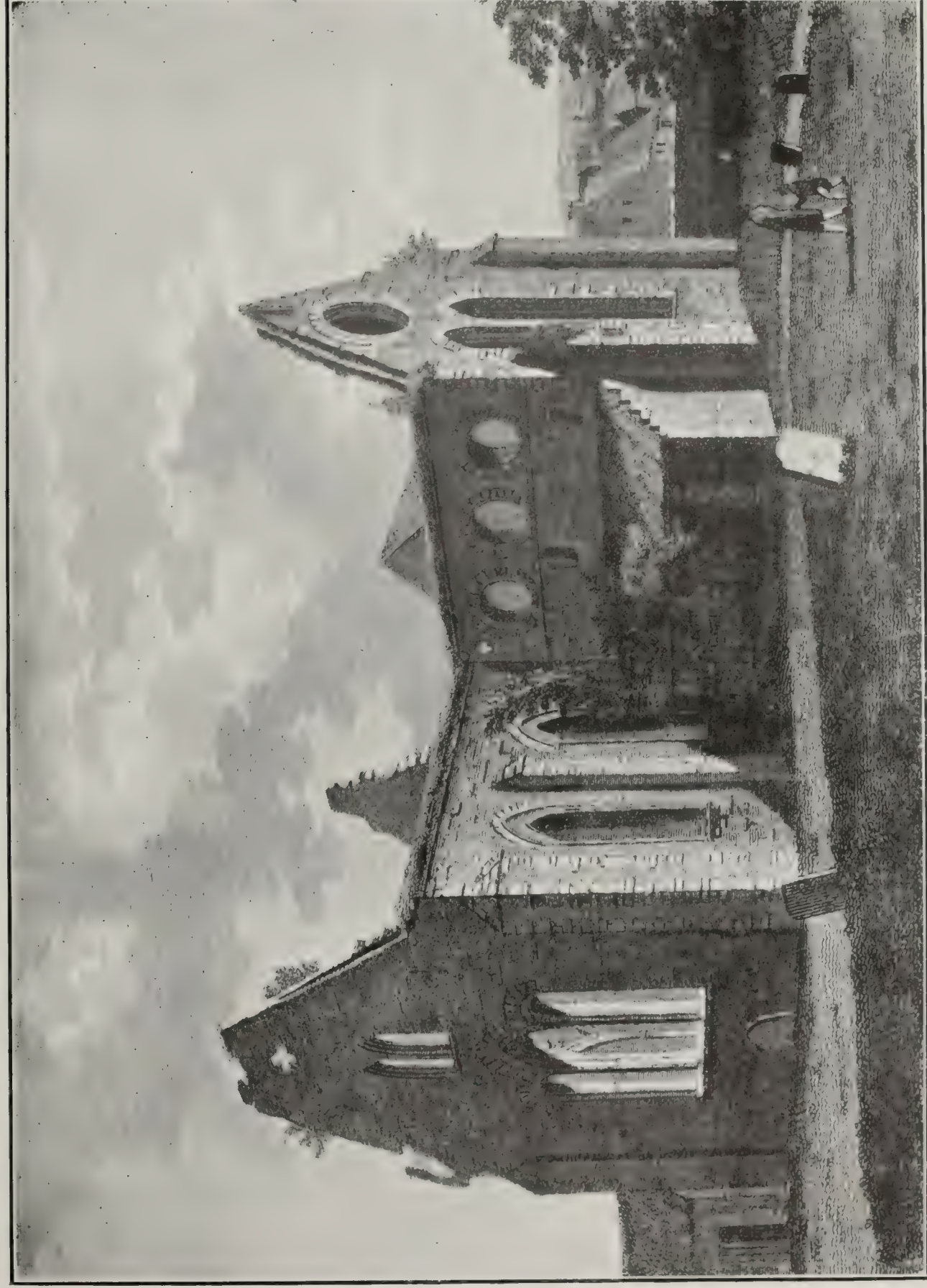


Map of the district.

BERNARD—THE ABBEY OF DUISKE.

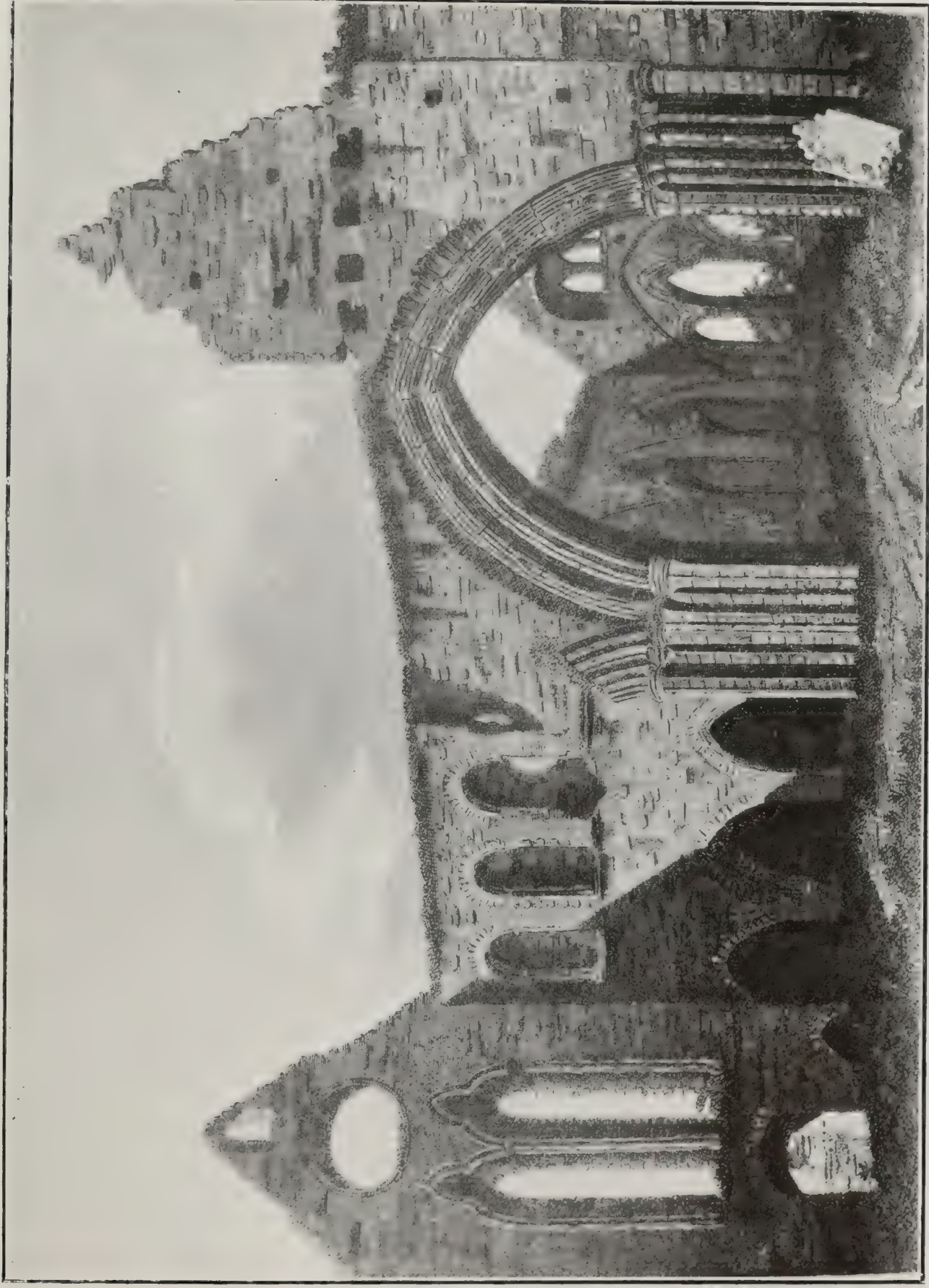


Seals from the Charters.
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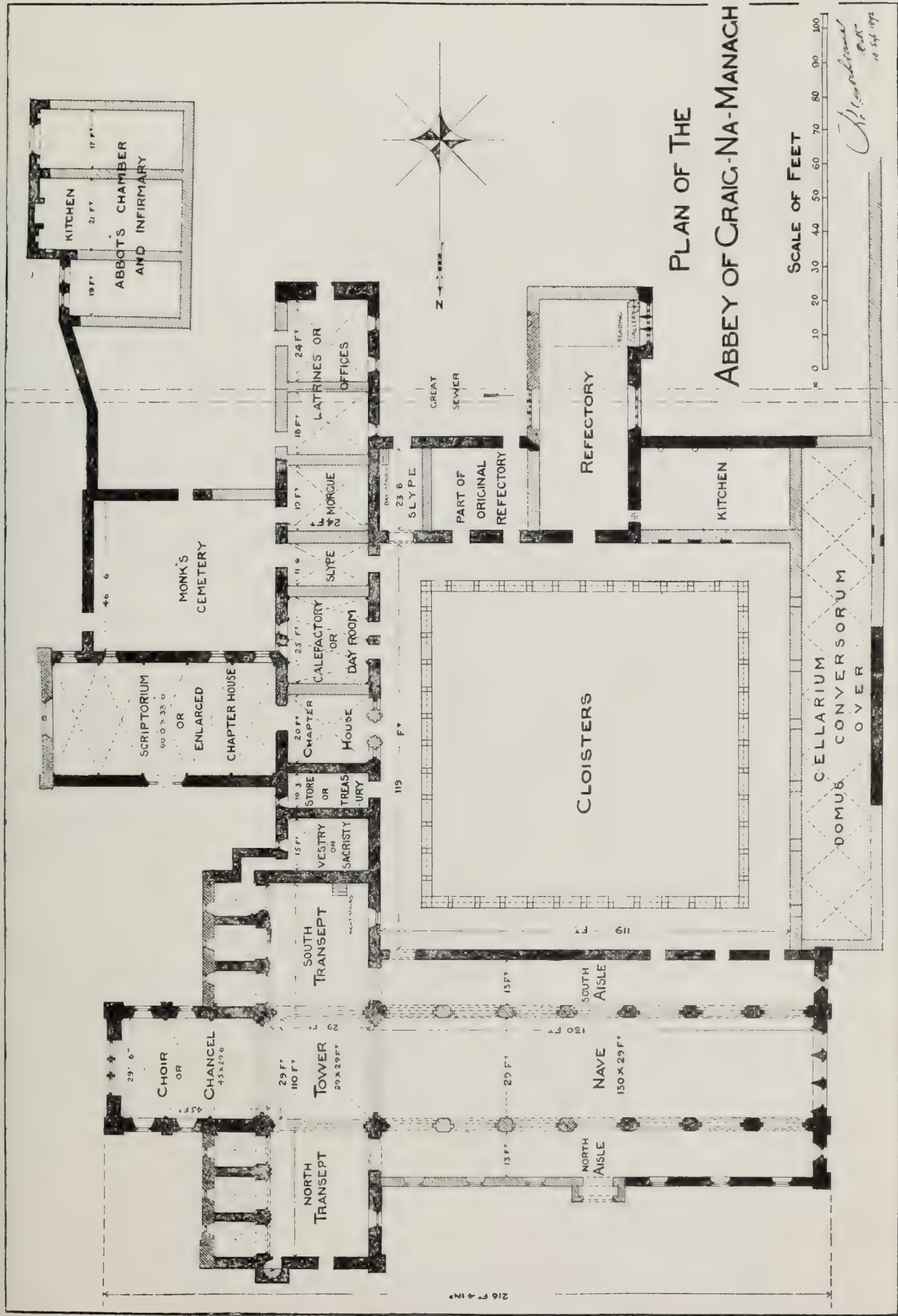


The Abbey in 1792.

BERNARD—THE ABBEY OF DUISKE



The Abbey in 1792.
BERNARD—THE ABBEY OF DUISKE.



BERNARD—THE ABBEY OF DUISKE.

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153043

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